

Wave of prosecutions will follow

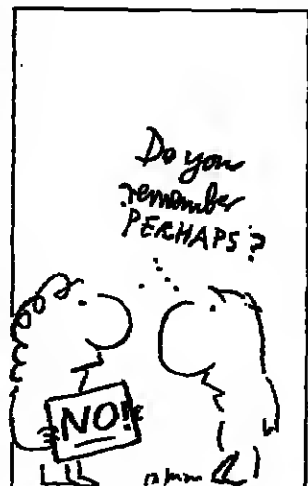
# Marital rape ruled illegal by law lords

By FRANCES GIBB, LEGAL AFFAIRS CORRESPONDENT

A FLURRY of prosecutions is expected after a House of Lords ruling yesterday that men can be found guilty of raping their wives. A new act of parliament to enshrine the principle is also likely. Five law lords unanimously swept away the 250-year-old notion that women agree to sexual intercourse on marriage and cannot retract their consent. Modern marriage was a partnership of equals, not one in which the wife was the subservient chattel of the husband, they said.

At least a dozen cases held in the pipeline pending the ruling will now go ahead, and a wife's right to say "no" will probably be reinforced by new legislation after the government receives the Law Commission's final report on the subject. The commission has recommended that rape in marriage be a crime.

Yesterday's judgment, in the case of a Leicester man jailed for three years for assault and attempted rape against his estranged wife, laid to rest the principle established by Chief Justice Hale in 1736 that by marriage, a woman gave her body and irrevocable consent to sexual intercourse with her husband



under all circumstances. Lord Keith of Kinkaid, the senior law lord, rejected that as anachronistic and offensive, borrowing a phrase used by the Lord Chief Justice in the Court of Appeal in March. Lord Lane had then declared that "a rapist remains a rapist and is subject to the criminal law, irrespective of his relationship with his victim".

Upholding his ruling, Lord Keith said the common law could change and evolve in the light of social, economic and cultural developments. Hale's proposition had reflected the state of affairs in his time, but since then, the status of women, and particularly married women, had changed out of all recognition. "Marriage in modern times is regarded as a partnership of equals and no longer one in which the wife must be the subservient chattel of the husband."

Lord Keith, with lords Brandon, Griffiths, Ackner and Lowry agreeing, said this would not mean the creation of a new offence, but the removal of a "common law fiction which has become anachronistic and offensive".

The ruling was greeted by uproar in the public gallery of the House of Lords, and some cheering supporters of Women Against Rape were evicted. Claire Glasman, the group's spokeswoman, said afterwards: "This is a fantastic day for women everywhere. The law lords have finally nailed a legal lie which has

somehow survived for nearly three centuries. This is really a step towards making it clear legally that women have the right to say 'no' to sex, even if they are married. It overturns 250 years of legal sexual slavery which has been based not on a court case but on an 18th century judge's decision that a husband could not rape his wife."

John Patten the Home Office minister also welcomed the judgment. "I strongly feel that a rapist is a rapist, whether he is married to his victim or not. The law needed to be clarified and today's decision has done that. I asked the Law Commission last year to look at what needed to be done, if anything, by Parliament. I look forward to their final report as soon as possible."

Jo Richardson, Labour's spokeswoman on women's affairs, said she was delighted by the ruling and promised that a Labour government would introduce a law to confirm the position. "It's fine and very welcome to have case law like this," she said. "But it still leaves it to the whim of the court and the whim of the judges. We need to make women feel secure and know that if they take a case they have got a reasonable chance of getting through with it."

The verdict was also welcomed by Roger Daw, senior policy lawyer for the Crown Prosecution Service, which started the ball rolling in 1989 with a policy decision to test whether Chief Justice Hale's proposition still applied. "We are pleased that the House of Lords has clarified the law in this difficult area," he said.

Until recently, the accepted law had been that rape within marriage was committed only where the couple were legally separated or a non-molestation order was in force. But Mr Justice Owen, the trial judge in the Leicester case, held that a wife who had left her husband had the right to refuse intercourse.

Now the old principle has been overruled by 11 judges — all men — that right is likely to apply to all women, including those still living with their husbands.

Right to say 'no', page 3  
Law Report, page 34

## Shadow cabinet poll rewards Cook's role

By PHILIP WEBSTER, CHIEF POLITICAL CORRESPONDENT

ROBIN Cook, spearhead of Labour's relentless campaign against the government over the health service, was given a big endorsement by Labour MPs yesterday in the final election to the shadow cabinet before the general election.

The shadow health secretary moved up to second place in the annual popularity contest, securing 24 more votes than last year. He finished ahead of John Smith, the shadow chancellor, who dropped from first to third place, and behind Gordon Brown, the shadow trade secretary, who topped the poll after what Labour MPs regarded as another effective year. Another big success was

scored by Ann Clwyd, who became the top woman, in fourth place, after a strong performance this year in her role as overseas development spokesman. She would be one of four women members of Neil Kinnock's first cabinet if Labour were elected. The others are Margaret Becker, Ann Taylor and Jo Richardson. Under party rules all 18 elected members have to be given a seat in the first cabinet.

After the same 18 members had been re-elected to lead Labour into the election, Mr Kinnock decided against any changes in the posts they hold.

Rebel's rise, page 7  
Leading article, page 19

## Why fast food comes a lot slower in Mexico

By PETER VICTOR

AS you ponder your hurried lot, working to pay for a new dishwasher, car or smart designer outfit, spare a thought for your counterpart in Mexico, who will have to work ten times as long for the same goods.

Kitting out a home with a refrigerator, frying pan, electric sewing machine, colour television, electric iron, vacuum cleaner, hair dryer and camera would take just over three weeks' of toil for a worker in London. In Mexico City, a new year resolution to save up for the goods would not be fulfilled until the year was almost out.

Figures detailing the relative fortunes of workers of the world are published in the latest edition of the Union Bank of Switzerland's *Pricings and Earnings Around the Globe*. The report compares purchasing power in 48 cities, illustrat-

ing income levels and the costs of goods and services.

A decent business suit, blazer, jeans, shirt, socks and shoes will set you back £421 in London, while in Lagos, Nigeria, you can expect to pay the equivalent of £111. There, however, the average company department manager takes home £1,929 a year and would be working for nearly 2½ months to pay his tailor's bill. In London the same manager nets £15,263 and could settle up in less than a fortnight.

Before Londoners become smug, however, they should reflect on the fact that, adjusted for the number of hours worked, employees in Zurich, Geneva, Copenhagen, Oslo and Helsinki earn 80 per cent to 135 per cent more than their counterparts in the cities surveyed by UBS: £49,356 for the departmental manager.

Perhaps the most prosaic illustration in the study shows that the average Mexican would have to work for nearly four hours to buy a McDonald's Big Mac with French fries — a repast within half an hour's labour for the average working Londoner. The burger as economic indicator gets around the problem of varying consumer habits which arises when comparing purchasing power on an entire basket of goods.

The study reveals that Sydney and Chicago have the shortest working times for a Big Mac at 18 minutes each. Los Angeles and Toronto workers have to work for 20 minutes, as do those in Zurich and Luxembourg.

Mexican workers have to put in 2 hours and 55 minutes and their colleagues in Manila only ten minutes less. More than two hours is required in Bombay and Lagos.

Working time necessary to buy a hamburger

City	1 hamburger in minutes
Amsterdam	31
Bogotá	98
Bombay	131
Buenos Aires	105
Chicago	18
Dublin	29
Johannesburg	35
Lagos	130
London	36
Los Angeles	20
Mexico City	235
Nairobi	82
New York	26
Paris	39
Sao Paulo	106
Singapore	70
Sydney	18
Tokyo	21
Zurich	20

\* Big Mac and large portion of French fries.  
Source: Union Bank of Switzerland

## Germany plans joint missions with Britain in Soviet republics

By MICHAEL BINYON, DIPLOMATIC EDITOR

BRITAIN and Germany are planning to set up joint diplomatic missions in the independent Soviet republics as a first step towards pooling much of their embassy work abroad.

Douglas Hurd, the foreign secretary, will discuss the proposal with Hans-Dietrich Genscher, the German foreign minister, in Leipzig next week when the two countries will exchange information on the collapse of the Soviet Union. This will be the first such detailed discussion of a third country that the Foreign Office has held with a European Community partner.

The proposals envisage Britain and Germany sharing the same buildings, embassy services, infrastructure and possibly consular staff in each of the new independent republics. They would also pool political analyses, sending joint dispatches to London and Bonn. Commercial divisions would probably remain separate, however, as British and German companies might be in competition for contracts.

The proposals are a radical development of EC plans to co-ordinate and, if possible, to unify diplomatic representation overseas. So far these plans propose that EC embassies consult each other regularly, offer consular help to the citizens of EC nations that do not have embassies in the countries concerned, and try to co-ordinate initiatives and demarches.

Britain believes it will be easier to co-ordinate diplomatic work with Germany than with any other EC nation — partly because the two foreign services are similarly structured and have no constitutional difficulties with joint representation. France, on the other hand, forbids the president of the republic to be represented abroad by anyone other than a French citizen.

The proposal is the kind of concrete step towards a common policy that Britain believes must precede more ambitious decisions to pool foreign policy-making. Ironically, Britain is likely to move faster than France on this issue, although France and Germany strongly support a common EC foreign policy.

There will be a flurry of top-level consultations next week. Mr Hurd and Herr Genscher

will meet at the Western European Union on Tuesday and fly to Leipzig the next day. John Major will go to Bonn on Friday for talks with Helmut Kohl, the chancellor.

Mr Hurd and Herr Genscher will summon their two ambassadors and consuls-general in Moscow to the Leipzig conference. Both countries are pessimistic about the downward spiral in the Soviet Union, though they differ over how much aid should be given for the winter and in long-term assistance. Both believe that individual Soviet republics will play a greater political role, and want to cultivate links with the republics' leaders while co-ordinating technical help.

Britain would gain much from a joint initiative with Bonn. Germany has consulates in Kiev and St Petersburg and is setting up trade missions, but Britain has no money for any full mission outside Moscow.

## EC stakes raised by Delors

FROM GEORGE BROCK IN STRASBOURG

JACQUES Delors raised the stakes in the European Community's troubled political union talks yesterday when he said that changing the way the community's joint foreign policy is decided will be the crux of the treaty. Britain strongly opposes the changes he advocates.

Mr Delors, president of the EC's policy-making commission, told the European parliament that the EC must commit itself to closer common action in foreign policy. EC leaders are due to complete the treaty at a summit in Maastricht in seven weeks.

Mr Delors, supported by President Mitterrand of France and Helmut Kohl, the chancellor of Germany, emphasised that the test of the EC's will to act together will be its willingness to use majority voting for some foreign policy decisions. EC common foreign policies are decided unanimously. "The crux is the

Continued on page 24, col 6

## Howard will speed action to trim power of unions

By NICHOLAS WOOD, POLITICAL CORRESPONDENT

A FURTHER erosion of trade union power and a big extension of performance-related pay and individual contracts of employment are planned by the government as part of more upheavals in the labour market in the 1990s, according to leaked documents from the employment department.

The documents, copies of which have been obtained by Labour and *The Times*, show that Michael Howard, the employment secretary, intends to speed up the liberalisation of working practices begun in the 1980s.

They suggest that he plans to publish a white paper on individuals at work signalling the government's determination to trim the legal burden on firms to a minimum and to see employers increasingly bypassing unions in their dealings with staff. It is believed to be part of Mr Howard's contribution to John Major's citizen's charter.

A departmental spokesman did not dispute the authenticity of the leak last night, but cautioned that ministers had yet to decide to press ahead with the white paper.

The proposed new policy statement comes after a green paper in July proposing new curbs on strikes and extending internal union democracy. The documents also underline the gap that has opened up between Mr Howard's hands-off approach and the European Community's thrust for tighter regulation of the workplace. They make clear that Mr Howard will resist moves

by Brussels, such as the social charter, to give workers new rights and to impose new duties on employers.

A draft outline of the white paper says that workers want to be consulted and informed directly and individually rather than through the medium of trade union or formal consultative machinery. "The notion of people at work as undifferentiated mass with identical interests and aims has gone for good," it says.

A "key relationship" in the labour market is the one between an employer and an individual and the trend is away from national collective bargaining towards arrangements rewarding individual performance and initiative. According to the draft, government policies will be tailored to changing attitudes among workers. They increasingly want pay to reflect individual skills, efforts and capacities; and they want to negotiate their own terms and conditions of employment, including pensions.

The disclosures are bound to dismay union leaders. They provoked a scathing response from Labour yesterday, with Henry McLeish, an employment spokesman, saying that they exposed the "hypocrisy and dishonesty" of the charter.

Support for Mr Howard's view will come when an Institute of Personnel Management conference publishes full details of a European-wide survey of workers' attitudes showing high and growing support for payment by results and for greater scope for individual initiative at work.

## £1bn Polly Peck writs

ASIL Nadir, his mother and five other defendants linked to Polly Peck International, yesterday received writs of £1 billion from accountants trying to recover money from the collapsed company for its creditors and shareholders (Jon Ashworth writes).

Mr Nadir faces a claim for £378 million issued by the company's administrators in the High Court yesterday. Safiye Nadir, his mother, is being sued for £73 million allegedly received from Polly Peck. It is also alleged that

Mrs Nadir wrongfully participated in the alleged frauds and breaches of duty by her son.

However, a decision to injunct the central bank in Cyprus is likely to jeopardise the efforts of Polly Peck's two other administrators, who are trying to unravel the company's assets there as part of a scheme to refloat the company. Mr Nadir's solicitors said that the writs "would be strenuously fought".

Full details, page 25



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12 pages of top jobs in today's appointments section, circulated in Britain



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## Fashion assistant sentenced

## Judge frees mother to be with sick baby after day in jail

By RAY CLANCY

SUZANNAH Jackson, the former personal assistant to Linda Clerach, the fashion designer, was yesterday sent to jail for nine months for stealing clothes and cash totalling £25,000 from her employer, but hours later she was freed after being granted bail by a High Court judge.

Jackson, aged 31, was jailed for a total of 18 months, nine of which were suspended, by Southwark crown court, south London. Her lawyer immediately applied for bail pending an appeal against conviction and sentence.

She was reunited last night with her daughter Isabella, aged three months, after spending most of the day behind bars at Holloway prison, north London. Earlier

she had been led to the cells weeping because she was worried about being separated from her daughter who was born prematurely and still suffers bouts of illness. Six hours later Mr Justice Brooke granted Jackson unconditional bail.

"She is obviously relieved that she will not be separated from her daughter. She is overwhelmed by the result," a spokeswoman for Jackson's lawyers said. Michael Fisher, her lawyer, had said after his client was sentenced that the judge had been harsh.

Last night criminal law experts said that the decision to grant Jackson bail was unusual but not unheard of. Her lawyers would have argued that separation from her

baby represented a strong reason for granting bail and would also have indicated to the judge in chambers that they had good grounds for an appeal.

Jackson knew when she appeared in court yesterday that she was likely to be sent to jail as Judge Anwyl-Davies, QC, had told her two weeks ago when she was found guilty of nine charges of theft from Miss Clerach's company that he was considering a custodial sentence.

In an interview with *The Times* Jackson said that her greatest nightmare was being separated from Isabella. "I am a nursing mother. Isabella is 11 weeks old and unwell. Surely everything possible should be done before separating a child and a mother or sending them both to prison," she said.

When she sat in the dock listening to the judge who described her as being guilty of a "disgraceful and mean betrayal of trust", she looked distraught.

Jackson wept as the judge told her: "It is sad to see a person of your intelligence and acumen in the position in which you are today — your reputation for honesty gone forever and gone through the shameful betrayal of your employer's trust and confidence in you."

Two weeks ago the jury that found Jackson guilty heard that she had used blank cheques signed by her employer before she went on holiday to buy a car worth £2,500 and to pay more than £1,200 towards her rent on a flat. She had also taken clothes worth £15,000.

Jackson had hoped to be made managing director of the firm, which has since gone into voluntary liquidation. But her world collapsed when Miss Clerach did not approve of her new boyfriend. The theft charges followed.

Yesterday Sheila Davies, Jackson's counsel, pleaded with the judge to be lenient. She said that Jackson had not been a "professional, considered or premeditated thief", and that she had not tried hard to hide what she had done.

She said that Jackson had hoped to fly home to her family in Australia to start a new life if all her sentence had been suspended.

## Killing of armed raider was lawful

By RICHARD DUCE

A FATHER publicly forgave the man who shot dead his son during an armed raid after a coroner said yesterday that the killing had been lawful.

Colin Budd, aged 19, who friends said had idolised the Kray twins and spoke of "going out in a blaze of glory" was killed by Peter Lamb, a gun shop manager, when, carrying a gun, he tried to rob the store in Colchester, Essex, last August.

After the inquest David Budd grasped Mr Lamb's hand and urged him not to blame himself for his son's death. Mr Lamb, aged 42, said: "I have nightmares about it every day. It means a lot to me to know his family don't blame me."

The Colchester inquest was told that Budd, who had previous convictions for armed robbery, brandished a sawn-off shotgun as he entered the shop and demanded cash and the keys to a gun cabinet. He pointed the gun towards the head of Mr Lamb's employer, Richard Ward, and threatened to kill him and a customer Robert Burrell.

Mr Lamb, a clay pigeon shooting expert, picked up a loaded .38 revolver from behind the counter and shot Budd through the chest, kill-

ing him instantly. Mr Lamb, of Dedham, near Colchester, said: "I told him again and again not to shoot but he kept shooting and threatening to kill us all. He was very agitated. I picked up the revolver and cocked it. Then he heard me click the revolver and said 'What was that?' As he turned to point the gun at me I shot him and that was it."

Dr Malcolm Weir, the coroner, said: "Under the Criminal Law Act of 1967 a person may use reasonable force for self-defence or the defence of another. Peter Lamb was in no doubt that he and Mr Ward were in personal danger and firing the gun was the only way out."

Detective Inspector Richard Block said that the shotgun used by Budd, of Colchester, could not be fired. "However, I have come to the conclusion that Peter Lamb shot Budd because it was the only way he saw to save his and his boss's life," he said.

Last week John Burrow, Essex chief constable, revoked Mr Ward's registration as a firearms dealer because it was illegal to keep a firearm behind the counter. Mr Ward has 21 days to appeal.

## Wood, the fuel of the 21st century

By NICK NUTTALL, TECHNOLOGY CORRESPONDENT

OFFICIALS and ministers at the energy department have identified a promising new fuel for the 21st century.

Forget the awesome but elusive power of nuclear fusion, expensive electricity barrages and pricey solar cells. Wood is ready to make a comeback, helping to meet Britain's energy bill without harming the environment.

Indeed so impressed is the energy department with the potential of wood that Colin Moynihan, minister responsible for renewables, yesterday announced plans for up to £12 million funding at a three-day conference in



Moynihan: potential for saving £700m a year

Bristol dedicated to this remarkable fuel. Mr Moynihan said the energy implications of wood were considerable, and could save nearly seven million tonnes of oil a year or about £700 million.

The announcement of significant funds signals the government's conclusion that, after a decade of research into new methods of harvesting forestry wastes, boilers and other combustion systems and coppicing schemes, wood is ready to make its mark. It echoes the conclusions of countries elsewhere, with Sweden recently unveiling plans to

produce 20 per cent of its electricity needs from wood by the year 2000.

Experts believe wood could be fuelling farms, factories and homes by the end of the decade, using wood-burning boilers or grid-connected power stations built to burn wood. "The technicalities of combustion are covered. Now we need to get the economics right," Paul Marvan, of the Energy Technology Support Unit, Harwell, the government's advisers, said.

Under the energy department's plans five farms in the south of England will be chosen as pilot sites for the growing and coppicing of poplars and willows for fuel. Coppicing, the ancient forestry cultivation technique, is seen as the biggest source of wood fuel able to produce the equivalent of six million tonnes of oil by the end of the decade.

The five farms, which in April 1992 will be able to qualify for funds under the Forestry Commission's woodlands grant scheme, will then become training centres for other farms.

The European Community, anxious to see meat mountains cut, is paying farmers to set aside arable land or to grow alternative crops that could be used for energy. By the end of the decade up to one million hectares of arable farmland could be surplus. The Forestry Commission and the Countryside Commission are reclaiming land around Britain's towns and cities for new forests.

Officials involved in the Forest of Merica scheme, a 20,000-acre new forest in the West Midlands, have already indicated that some of the wood grown might be harvested for wood-into-energy schemes.



Inside story: Dame Ninette de Valois, founder of the Royal Ballet, leaves the Royal Opera House in London yesterday with Wayne Sleep, the dancer, after a briefing on the musicians' dispute that has halted performances. Leading article, page 19

## Court upholds the right of wives to say no

By FRANCES GIBB, LEGAL AFFAIRS CORRESPONDENT

THE marital rape judgment yesterday laid to rest the principle established by Chief Justice Hale in 1736. It is likely to be cited as the basis for prosecutions by the thousands of women who have suffered without recourse to the law.

In the ruling Lord Keith of Kinkel, the senior law lord, rejected the 250-year-old principle that a woman gave her body and irrevocable consent to sexual intercourse with her husband under all circumstances. He said it was anachronistic and offensive: that marriage in modern times was a partnership of equals and not one in which the wife was the subservient chattel of the husband.

Marital rape is not the rare event that some allege, the Middlesex Centre for Criminology has said that its nationwide survey of 1,000 women has shown that as many as one in seven claim to have been forced by husbands to submit to sexual intercourse against their will.

The Law Commission has brought out a working paper recommending that rape in marriage becomes a criminal offence and also that wives who accuse their husbands of rape should be compelled to give evidence against them. Its final report, taking account of yesterday's ruling and evidence it has received, is expected in the new year.

The law lords' ruling is the result of an initiative by the Crown Prosecution Service

(CPS) which started a group of prosecutions alleging rape within marriage. The CPS decided to prosecute the cases as they were "at the margins of what was previously understood as the limit of the exemptions to marital rape prosecution." Under these exemptions, husbands lost immunity from rape charges if a couple was legally separated or a court order was in force prohibiting the husband from molesting the wife.

In the Leicester case which reached the Lords yesterday, new ground was being tested because there was no legal separation or court order. The trial judge, Mr Justice Owen, convicted the man. But confusion over the true state of the law remained in other cases, two other High Court judges reached different conclusions.

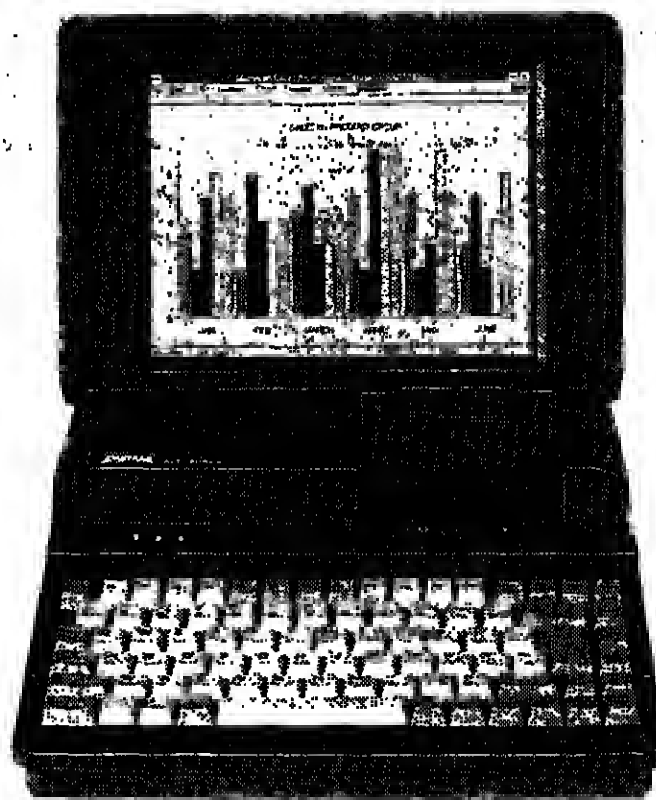
When yesterday's case came before the Court of Appeal in March, however, a special five-judge court headed by Lord Lane, Lord Chief Justice, unanimously dismissed the centuries-old legal principle that a man can rape his wife with impunity.

The time had come, Lord Lane then said, "when the law should declare that a rapist remains a rapist and is subject to the criminal law, irrespective of his relationship with his victim".

Yesterday the law lords unequivocally and finally laid that doctrine to rest.

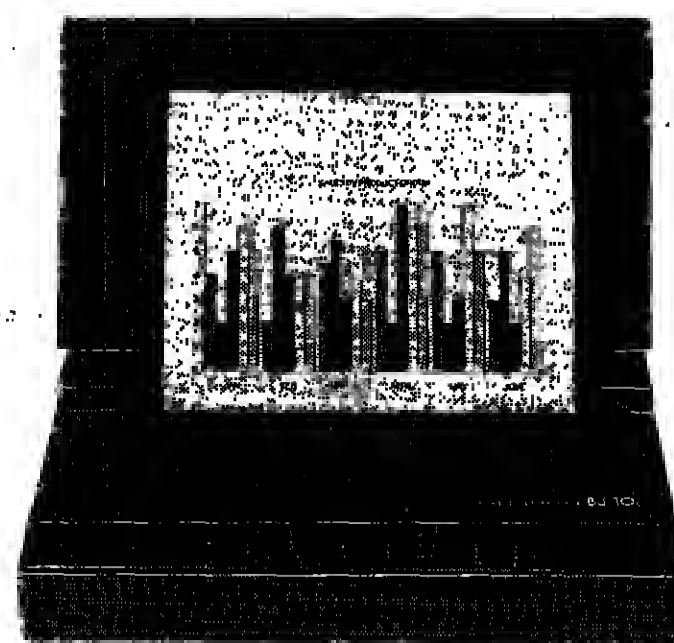
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AMSTRAD



By JOHN YOUNG

The largest grant, £235,000, goes to Ely, Cambridgeshire, for repairs to St Catherine's chapel and for the conservation of 14th century wall paintings. Among the other main beneficiaries are Lichfield, Staffordshire, which receives £225,000 for the

John Southgate, Dean of

No one could doubt that such great buildings were a vital part of the nation's

The survey of the condition of cathedrals, commissioned by English Heritage, was carried out by Harry Fairhurst, former chairman of the Cathedral Architects Association.

Mr Fairhurst said yesterday that the survey had concluded that at least £24.3 million needed to be spent on major structural repairs in the next three years, and a further £93 million in the following seven years. To that had to be added the cost of contents conservation, archaeological recording and investment in new facilities essential to the effective use of the buildings: in all, £185 million.

Cathedral	Grant	Main purpose
Exeter	235,000	Repairs to St Catherine's Chapel
Wells	225,000	Work to south west apse, south choir aisle, bell frame
Winchester	165,000	Repairs to north nave aisle and central tower
Leicester	160,000	Maintenance of upper tower
St Pauls	150,000	Re-leading of library roof
Salisbury	150,000	Repairs to distalvest west walk
Lincoln	140,000	Repair and conservation of west front
Hereford	75,000	Repair of masonry on the central tower
Worcester	75,000	Repairs to stonework and roof of south west transept
Gloucester	60,000	Masonry repairs to the central tower

Source: English Handliger



**Raising for the roof:** John Kirkup replaces lead on St Paul's, granted £150,000 towards restoration costs

## Aids virus in babies increasing

By THOMSON PRENTICE  
MEDICAL CORRESPONDENT

In the letter Mr Steel accused Mr Noble of writing "factually incorrect, abusive and obscene" articles under a false name and of lying in wait for Mrs Steel to assault her. He accused both Nohles of making offensive remarks about the police and suggested the Nohles were co-habiting, pretending to be married.

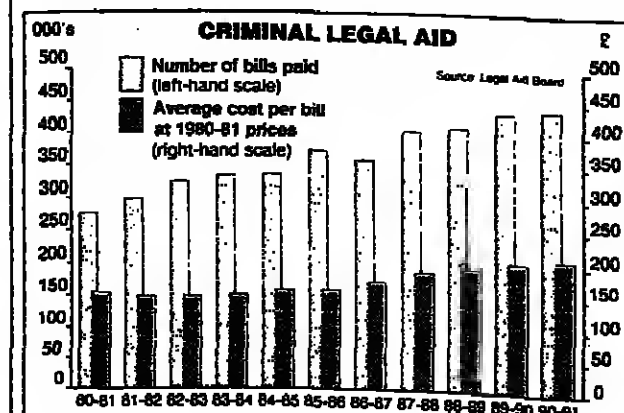
Since records began in 1982, 45 children are known to have developed Aids in this way, of which 22 have died. Another 97 children have been infected by their mothers, but have not yet gone on to develop Aids.

By FRANCES GIBB, LEGAL AFFAIRS CORRESPONDENT

Yesterday the department distanced itself from blame for the poor management systems and lack of controls. Although accountable for the legal aid vote, including spending on legal aid arising from grants made in the magistrates' courts, it had no responsibility for the magistrates' courts themselves, it said.

The department said that that meant it could not control the administrative procedures of the courts even though they affected spending for which the department was responsible.

The audit office's main criticisms were of insufficient information on the grounds for which criminal legal aid was being sought, or whether they met the statutory criteria; a lack of clear evidence about checks on applicants' income as a basis for assessing contributions; variations in the documents supporting awards; and the need for more guidance and instruction to ensure improved procedures and consistency of treatment between courts.



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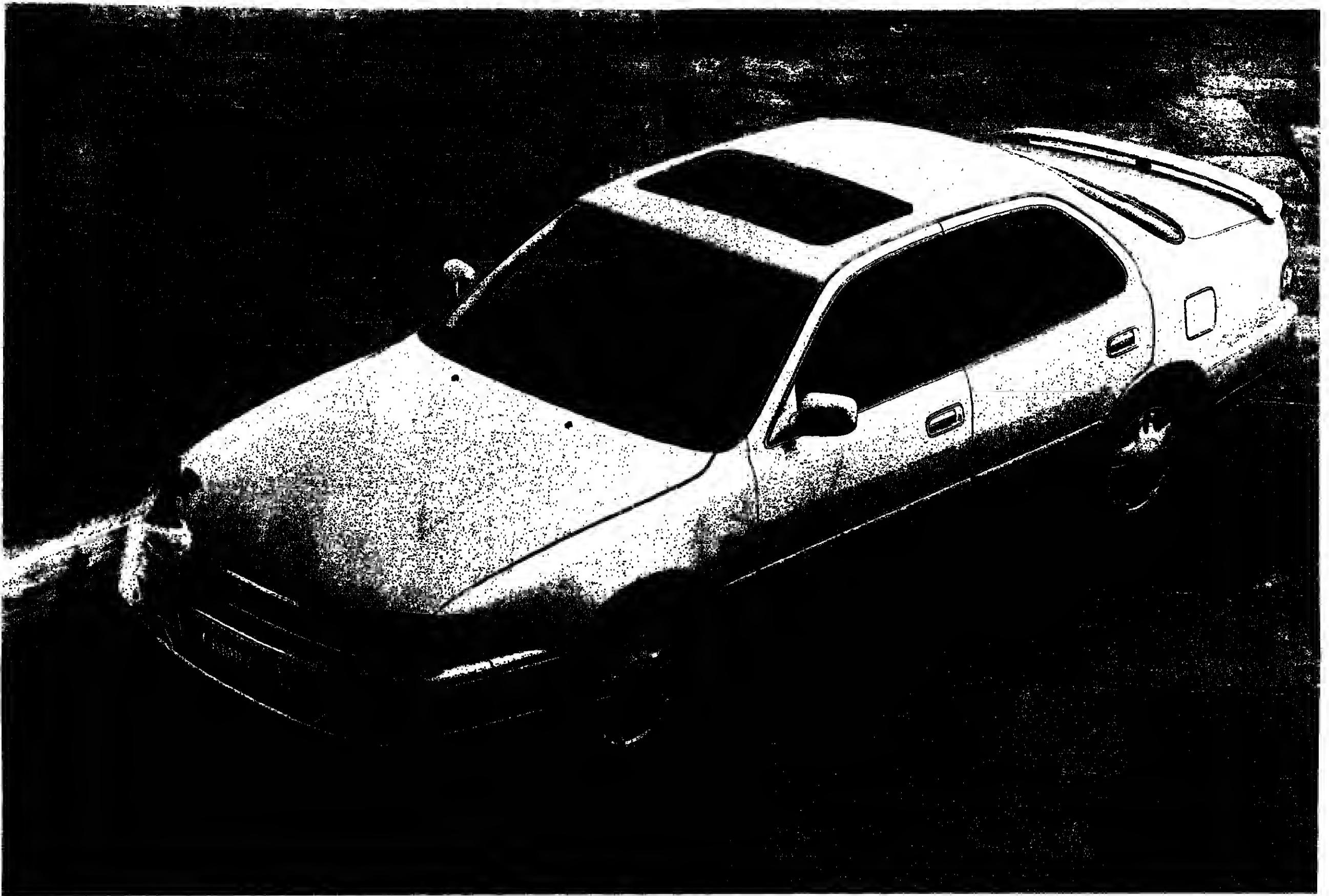
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We have to admit that the arrival of the new Toyota Camry did incline us towards cracking the odd bottle of champagne. Although, in deference to the quiet refinement of the car, the celebrations were naturally a little restrained.

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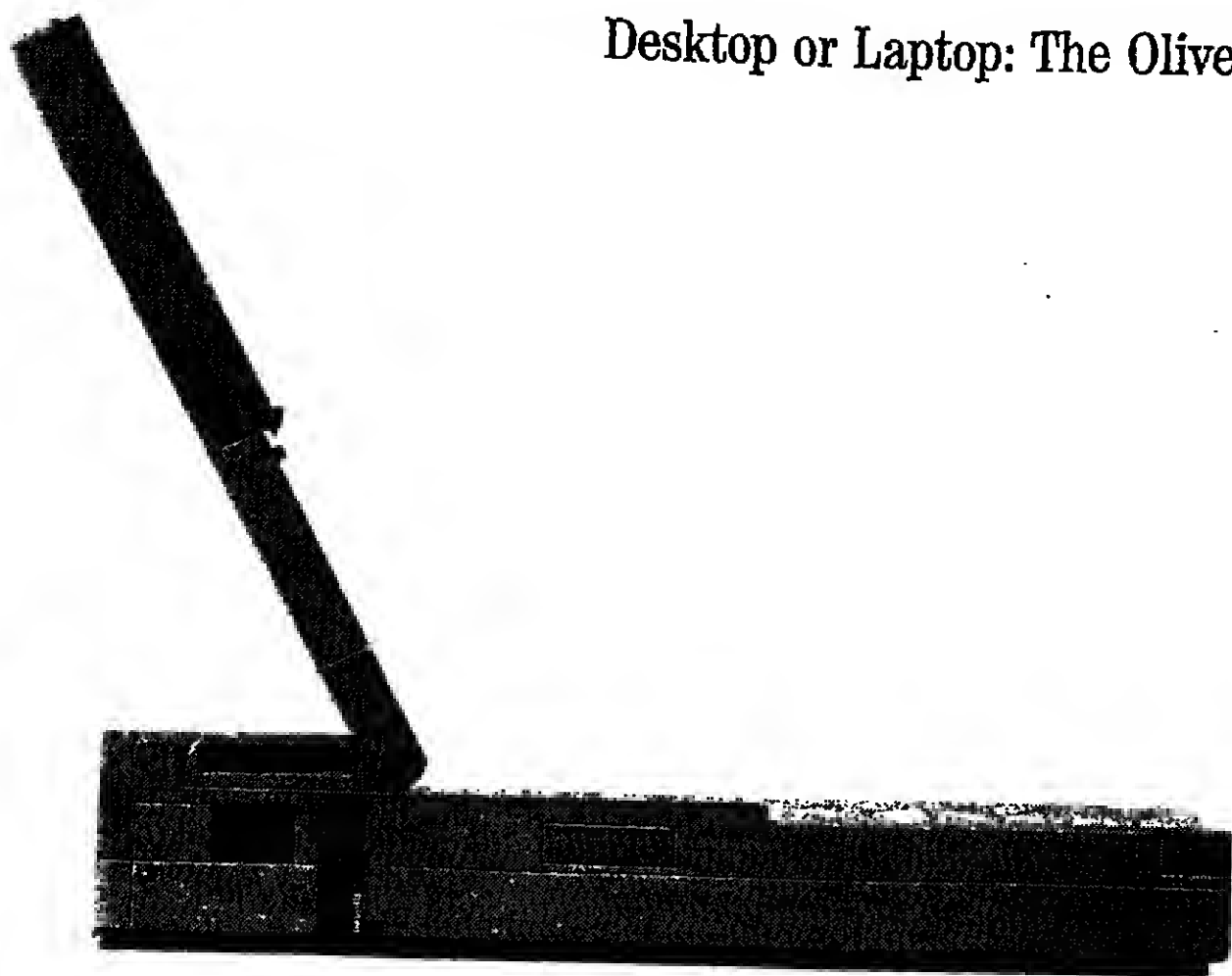
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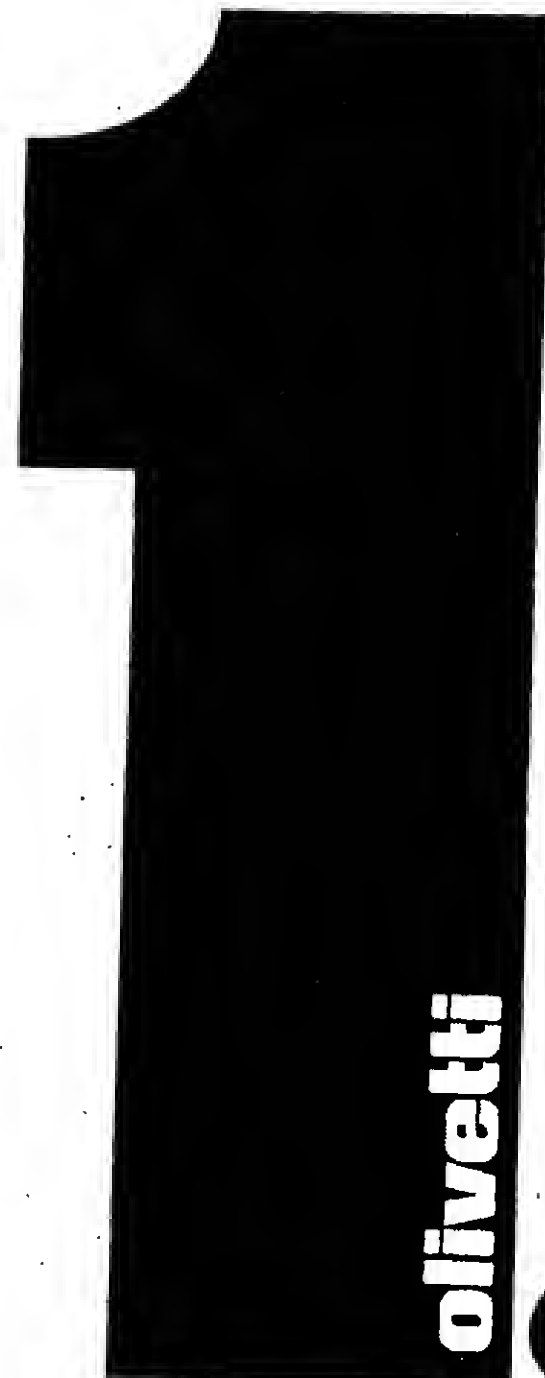
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# Defence rebel voted top woman in shadow cabinet

By PHILIP WEBSTER, CHIEF POLITICAL CORRESPONDENT

THREE years ago Neil Kinnock dismissed Ann Clwyd from his front bench for rebelling against him on defence. Yesterday she became the top woman in his shadow cabinet, certain of a cabinet job as minister of overseas development if Labour wins the general election.

In their last poll before the election Labour MPs have again rewarded the strong performers of the past 12 months. Ms Clwyd, who was first elected to the shadow cabinet in 1989 a year after her dismissal as a junior spokesman, has had a good year in one of the least fashionable posts.

One of the few shadow ministers with a spending commitment under her belt — Labour will aim to reach the United Nations target of 0.7 per cent of gross national product on aid over a five-year term — Ms Clwyd impressed her colleagues with her handling of the Kurdish tragedy after the Gulf war. Her moving account of the plight of the Kurds after her visit to northern Iraq made a big impact on the Commons chamber. She was the second placed woman last year.

Bryan Gould, making one of his best showings for several years, earned approval for

his demolition job on the government as it replaced the poll tax with the council tax. He soared from seventeenth to fifth place, and secured 42 more votes than last year. He got his party's local elections campaign off to a flying start by unveiling detailed figures for Labour's "fair rates" alternative.

Robio Cook, in second place, gained the PLP's endorsement for the way he has battled ministers over the health service reforms. Gordon Brown, who topped the poll, has again been a thorn in the government's side. Frank Dobson, the shadow energy secretary, has led a forceful

onslaught on big pay rises for the heads of privatised industries and on business contributions to Tory party funds.

By parading his shadow cabinet on the stage at the Brighton conference Mr Kinnock was effectively telling his party that this was the team he wanted to take into the next election. The MPs followed his lead. Seven fewer candidates stood for election this year and the votes they received last time were redistributed to those who did stand. The result was that almost all 18 elected members got an increased vote even if their positions in the "league table" fell. John Prescott's

vote, for example, went up by 33. Even Jo Richardson, who finished in the last elected place, had ten more votes.

In an ideal world for Mr Kinnock the elected members would have included Martin O'Neill and Kevin McNamara, his defence and Northern Ireland spokesmen. Only since 1981 has a Labour leader been bound to put into his first cabinet the people whom Labour MPs have elected to his shadow cabinet. The shadow cabinet, or its predecessor, the executive committee of the PLP, has been elected since the 1920s but it was only in the late Sixties that it took on the character of a "shadow" with man-to-man marking of the government ministers.

The last time Labour was on the threshold of government there were only 12 elected members in the shadow cabinet. The 12 elected in November 1973 — James Callaghan, Michael Foot, Reg Prentice, Anthony Crosland, Roy Jenkins, Shirley Williams, Denis Healey, Tony Benn, Harold Lever, Merlyn Rees, Peter Shore and William Ross — all made it into the February 1974 cabinet hut Harold Wilson, then prime minister, had the leeway to appoint many

more of his own choices, including Eric Varley and Barbara Castle.

Mr Kinnock will have no such latitude. The 18 elected members, plus himself and Roy Hattersley, the Lords leader and Lord Chancellor, will take his cabinet up to the maximum of 22 cabinet rank salaries. He can appoint others to the cabinet at less than cabinet salary, although he may ponder carefully before allowing such sensitive posts as defence and Northern Ireland to be in any way as being of "second-class" rank.

The rule introduced in 1989 requiring all MPs to vote for at least three women has made it much harder for men to break into the shadow cabinet. That has been the big obstacle in the way of Mr O'Neill. Yesterday he secured 86 votes, 23 higher than last year, and was the runner-up, but he was still 21 votes behind the last elected member. With less to shoot at these days in Labour's defence policy, ministers have recently begun focusing on Mr O'Neill's inability to get elected to the shadow cabinet as proof that Labour is weaker on defence than it cares to admit.



Leading article, page 19

Victor's smile: Ann Clwyd is rewarded for a good year in an unfashionable job

## Winners and losers

Results: Elected: Gordon Brown 150, Robin Cook 149, John Smith 141, Ann Clwyd 137, Bryan Gould 136, Margaret Beckett 134, Frank Dobson 134, Tony Blair 132, Ann Taylor 126, David Clark 122, Donald Dewar 122, Jack Cunningham 121, Gerald Kaufman 121, Jack Straw 119, Michael Meacher 118, John Prescott 118, Barry Jones 113, Jo Richardson 107. Not elected: Tony Banks (Newham North West) 41, Tony Benn (Chesterfield) 39, Dennis Canavan (Falkirk West) 35, Bob Croy (Bradford South) 29, Tam Dalyell (Linlithgow) 26, Ron

Davies (Caerphilly) 83, Llin Goding (Newcastle-under-Lyme) 61, Mildred Gordon (Bos and Poplar) 40, Bernie Grant (Tottenham) 30, Harriet Harman (Peckham) 45, Joan Lester (Eccles) 72, Kevin McNamara (Hull North) 59, Martin O'Neill (Clackmannan) 86, George Robertson (Hamilton) 48, Barry Sheerman (Huddersfield) 32, Clare Short (Birmingham Ladywood) 45, Clive Soley (Hammersmith) 31, Chris Smith (Salisbury South and Finsbury) 32, Gavin Strang (Edinburgh East) 50, Keith Vaz (Leicester East) 22.

## Signs point to a gloomy outlook

Richard Ford finds that the Tories face an uphill struggle to hold the marginal seat of Langbaugh, still haunted by the effects of the 1981 recession

"WE thought Halifax was the name of one of the candidates," a Labour campaigner joked in the highly-marginal northeast seat of Langbaugh. But he could have substituted the name of any of the other well-known estate agents whose "for sale" signs clutter the constituency, a telling reminder of the lack of consumer confidence and the uphill task the Tories face in retaining the seat.

Although the Conservatives claim that the area has not been hit as hard as elsewhere by the recession, there is underlying concern at longer-term economic prospects and the jobs outlook.

Langbaugh, pronounced Langbart and created by the boundary commission, runs southeast from the suburbs of Middlesbrough to the moorlands of the Cleveland Hills and east to the dramatic cliffs of the North Yorkshire coast. Seven of the constituency's 17 wards are in the housing estates, both public and private, of south Middlesbrough. In the east the iron ore mines that helped make Middlesbrough a steelmaking centre closed long ago, leaving a string of towns and villages with the characteristics of former mining communities. Along the coast, Saltburn-by-the-Sea and Marske-by-the-Sea, once home to a large number of retired people, are now dormitory towns for Teesside workers.

While the Tories argue that the constituency has not been hit as hard by the present economic downturn, Labour claims that this means little in an area still suffering from the 1981 recession. Unemployment has risen by 20 per cent over the last year to 13.9 per cent. A third of the constituency's workers are in manu-

facturing, mainly commuting into Teesside where the key employers are British Steel and ICI.

Labour launched its campaign promising that the contest would be a referendum on the question of hospital options, but has failed to release the momentum which swept it to victory in Middlesbrough. As Labour shifts its ground to the economy and the recession, Tory tactics have been to stress the party's commitment to the NHS to stop it becoming the key issue.

Tory strategists feel that they may have begun to neutralise it as an issue but even the health secretary, William Waldegrave, visiting the constituency yesterday, admitted that much needed to be done.

A matter of some speculation is whether the origins of the Labour candidate will damage his chances of overturning the Tories' 2,088 majority in a constituency where there are few black voters. Ashok Kumar, a British Steel research scientist born in India, points to his success in winning a council seat in a Middlesbrough ward which was overwhelmingly white as evidence that race is not a factor in the campaign for the November 7 by-election.

The Tories have chosen Michael Bates, a Tynesider, for what appears to be a two-horse race. The Liberal Democrats' candidate, Peter Allen, is running a low-key campaign with much of the party's effort being invested in the Scottish marginal seat of Kincardine and Deeside.

General election 1987: R Holt (Con) 26,047; P Harford (Lab) 23,959; R Ashby (Lib/All) 12,405; Con majority 2,088.

## Lord Cledwyn again impresses his peers

By SHEILA GUNN, POLITICAL CORRESPONDENT

LORD Cledwyn of Penrhos, Labour's veteran leader of the Lords, has once again been voted the most impressive peer, according to an opinion poll in the upper House.

At the celebration this week to mark his lordship's 40 years in parliament, Neil Kinnock also made it clear that he will offer his countryman the cabinet post of leader of the Lords in a Labour government.

The poll by Mori among the peers who regularly attend the Lords put Lord Cledwyn, aged 75, top of the popularity stakes for the fourth year running. He was the first choice of 28 per cent of all peers questioned, including 24 per cent of Conservatives.

Two more recent recruits, Lord Richard, a candidate to be a Labour Lord Chancellor, and Lord Clinton-Davis, former EC commissioner and cabinet minister, both made the list of 15 most impressive peers, scoring 10 and 7 per cent

respectively. By comparison Lord Waddington, leader of the Lords, entered the poll at 7 per cent and the popularity of Lord Mackay of Clashfern, the Lord Chancellor, fell to 15 per cent.

The top ranking Tory was the former cabinet minister Lord Boyd-Carpenter, aged 83, scoring 26 per cent. The only woman to make the top 15 was Lady Secar, deputy leader of the Liberal Democrat peers.

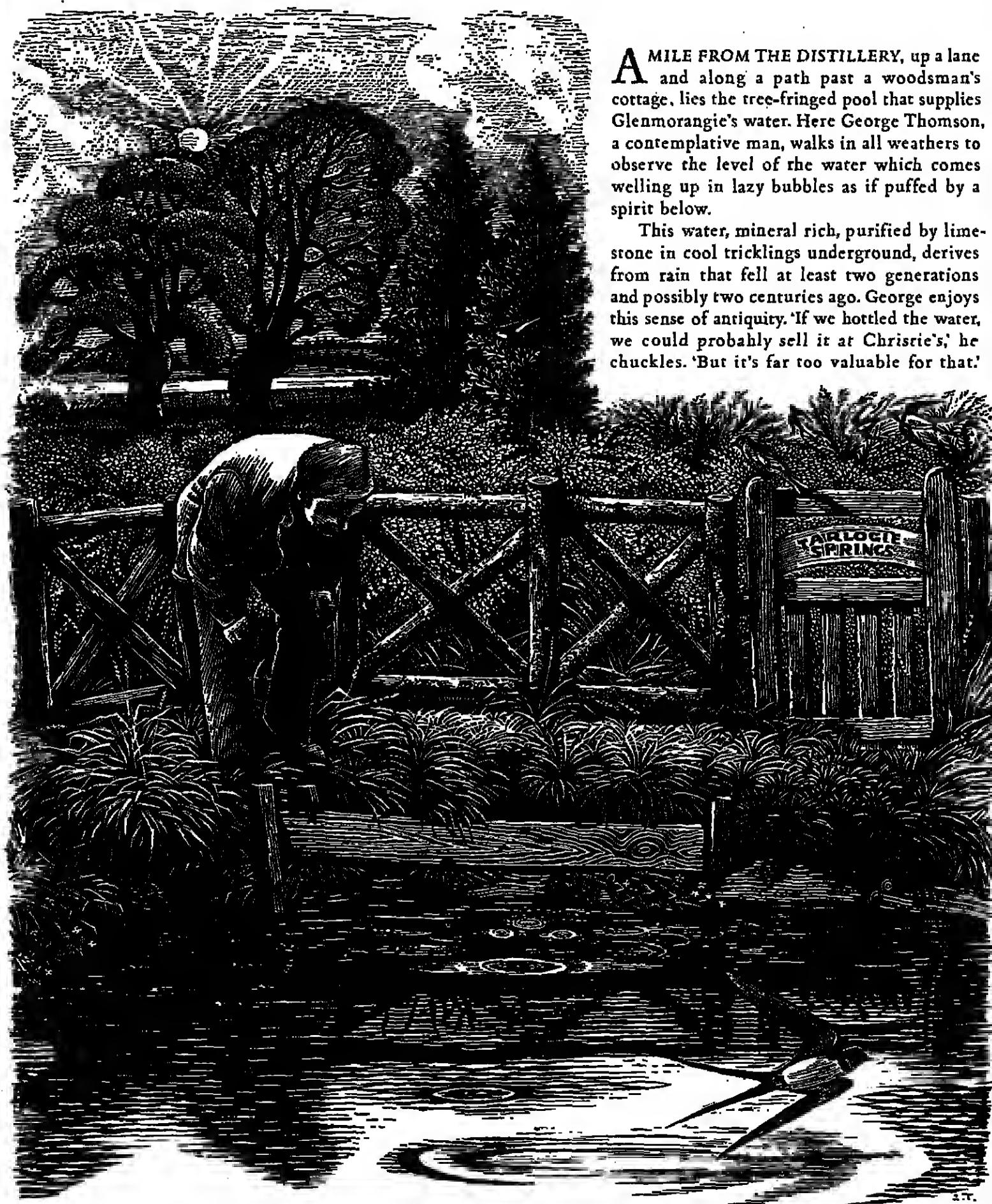


Lord Cledwyn: a cabinet post if Labour wins

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GEORGE THOMSON, Assistant Manager.



A MILE FROM THE DISTILLERY, up a lane and along a path past a woodsman's cottage, lies the tree-fringed pool that supplies Glenmorangie's water. Here George Thomson, a contemplative man, walks in all weathers to observe the level of the water which comes welling up in lazy bubbles as if puffed by a spirit below.

This water, mineral rich, purified by limestone in cool tricklings underground, derives from rain that fell at least two generations and possibly two centuries ago. George enjoys this sense of antiquity. 'If we bottled the water, we could probably sell it at Christie's,' he chuckles. 'But it's far too valuable for that.'

HANDCRAFTED by the SIXTEEN MEN of TAIN.



# £4m museum plan to open up charm of Tower Bridge

By JOHN YOUNG

PLANS to spend nearly £4 million on enhancing the attractions of Tower Bridge to visitors will be submitted to the City of London Court of Common Council today.

A report by a corporation committee says that, of four million tourists a year who include the bridge in their itinerary, more than 500,000 pay the £1 entrance fee to the exhibition and museum. But the present displays of photographs, models and explanatory text are considered to be "very tired in appearance and outdated".

Recent market research has shown that they no longer meet expectations in terms of value for money, the committee says. Recent leisure developments in the area, such as the newly opened Tower Pageant, would lure the tourists elsewhere unless something was done.

Although many visitors undoubtedly imagine Sir John Wolfe Barry's extraordinary neo-gothic feat of engineering to be part of "olde London", it will not in fact celebrate its centenary for another three years.

Contemporary critics savaged it; *The Builder* magazine fulminated that "the whole structure is the most monstrous and preposterous architectural sham that we have ever known of" and was a discredit to the generation that

erected it. The public disagreed.

On July 2 1894 *The Times* reported: "The opening of the Tower Bridge on Saturday was a picturesque and stately ceremonial, perfectly performed under the most favourable conditions. The effect produced on the immense multitude of spectators by the actual opening of the movable roadway was remarkable. For a moment the great crowd was hushed and silenced."

"Then in a deafening shout of applause, which soared as only a British cheer can soar, above the thunder of the Tower guns, above the ringing notes of the trumpets, and above the wild din from the steamers, they gave vent to their admiration and delight at the marvel they had been privileged to see."

By far the best known and most widely portrayed of all the Thames crossings, Tower Bridge is still widely believed to be what an American company thought it was buying when it transported the former London Bridge stone by stone across the Atlantic to be re-erected in the Arizona desert.

Like the other three downstream bridges — London, Southwark and Blackfriars — it is owned by the City corporation, although its gate-

way status will shortly be supplanted by the new M25 bridge at Dartford and the proposed east London crossing at Greenwich.

The new visitor centre will include "lifelike animated model guides", known apparently as animatronics; an item of new "compact disc interactive" technology which will allow people to compare the present skyline with its past and predicted future; a reproduction 19th century street scene; and more precise guidance to the engine room with its wondrous Victorian machinery. The work is scheduled to be completed by May 1993.

Yesterday's visitors did not appear to share the corporation's view that the present exhibition is old hat. Robin Carr, from Bristol, accompanied by his son, described it as "absolutely fantastic, and the price is right too".

Bernad Motzmer, from Cologne, said: "It is very good. Maybe it could be better, with more information like television videos." Guang Gaxu, from Hong Kong, who works in a bank in the City, enthused: "I think it is marvelous. I have lived in London for eight years, but I have never been here before. It shows the history of the bridge, its engineering and its architecture. It is so educational."



## All that glisters is deadly to gannets

A JOINT mission to Grassholm gannetery off the Pembrokeshire coast, mounted by Thousand Island Expeditions of St David's and the Royal Society for the Protection of Birds, this week rescued 25 young gannets ensnared in the tangle of plastic, netting and old ropes which the adult birds gather from the sea to build their nests (Robin Young writes).

Shaun White, a former RSPB warden on Grassholm, pictured disentangling a dead bird, counted 200 trapped gannet chicks that had died. "Others had been trampled into the colony which now looks like a huge rubbish tip with all the non-biodegradable material the birds have collected," he said. "Some had managed to pull themselves free, leaving a leg behind. The total number of fatalities could be as many as a thousand."

Gannets will gather anything floating which looks useful for nesting. "They are particularly attracted by bright colours", Lola Williams of the RSPB said, "but that is often plastic, nylon netting, or rope."

Grassholm is believed to be the highest gannetery in the world, with some 35,000 pairs occupying 12 of the island's 22 acres. Fewer birds were saved this year than previously because bad weather delayed the rescue mission. The plastic and nylon debris is to be examined to try to identify where it originates.

## Police pay for delay in halting looters

The owners of a social club and a video shop ransacked by looters in a part of Leeds alleged to be a "no-go" area, are to receive compensation from the police after up to 100 youths rampaged unchallenged through the streets.

Traders made repeated calls to police but it was three hours before officers, helped by reinforcements, moved in to deal with the mob in the city's Chapeltown district. By then, damage estimated at £16,000 had been caused.

West Yorkshire police authority agreed to pay compensation after an internal enquiry by the West Yorkshire force. Senior officers recommended no action be taken against police on duty that night. The authority said that compensation could be paid without liability being admitted.

## Egg withdrawn

Chupa Chups UK, a sweet company based in Isleworth, southwest London, has withdrawn its Tombola Surprise eggs after a girl choked on a plastic toy contained inside. Louise Wigley, aged 11, of Leeds, has now recovered.

## Sex shop jailing

Kevin Haigh, aged 37, of Bradford, West Yorkshire, was jailed for six months by Leeds crown court for selling obscene material at his sex shop in the town. Milagros Haigh, aged 33, his wife, and Martin Frohisher, aged 30, a director of the firm, were each fined £130 for similar offences. All pleaded guilty.

## Pudding off

The traditional Christmas pudding mix-in at Blagdon Hill, Somerset, involving three hundredweight of ingredients, has been stopped after the EC ruled it breached health regulations.

## Whisky raid

Police are questioning several people after raiding a distillery in Stoke-on-Trent believed to be producing whisky illegally.

## New motorway

The Irish Republic's fourth motorway, by-passing Bray, Co Wicklow, opens today, bringing the total length of the country's motorways to 20 miles.

## Ride a camel

Sarah Ling, aged 37, of Wickham Market, Suffolk, hopes to offer camel riding lessons at her riding school after buying an Arabian camel from Longleat wildlife park.

## Oldest member

William Smith, aged 99, of Rhyl, Clwyd, has renewed his Automobile Association membership, making him, it is believed, its oldest member.

## Distrust 'hampers inner-city revival'

By DOUGLAS BROOM, LOCAL GOVERNMENT CORRESPONDENT

ATTEMPTS to revive Britain's inner cities are still being hampered by the failure of councils to work with industry and by mutual distrust between central and local government, the Audit Commission said in a report yesterday.

Two years after publishing a report which found that inner city initiatives were "idiosyncratic", the Audit Commission said yesterday that while some things had improved, many problems remained. The commission criticised councils which failed to tackle their cities' economic difficulties and said that hostility between Whitehall and town halls still dogged the regeneration process.

Having given local authorities no more than "a cursory mention" in its plans for the inner cities in the 1980s, the government had now accepted that councils had a leading role to play. Action had also

been taken to improve co-ordination between government departments involved in inner city regeneration and to reduce confusion and overlap, the report said. But the government was still taking too long to process applications for urban grants and civil servants were spending too much time on details instead of strategy.

The report, based on auditors' reports on 83 councils in England and Wales, found that only 20 had drawn up a comprehensive regeneration strategy involving industry and local people. Of the remainder, 27 had not even commissioned an independent study of their local economy, a step the commission said was prerequisite of any successful regeneration project.

*The Urban Regeneration Experience* (Stationery Office, £6)

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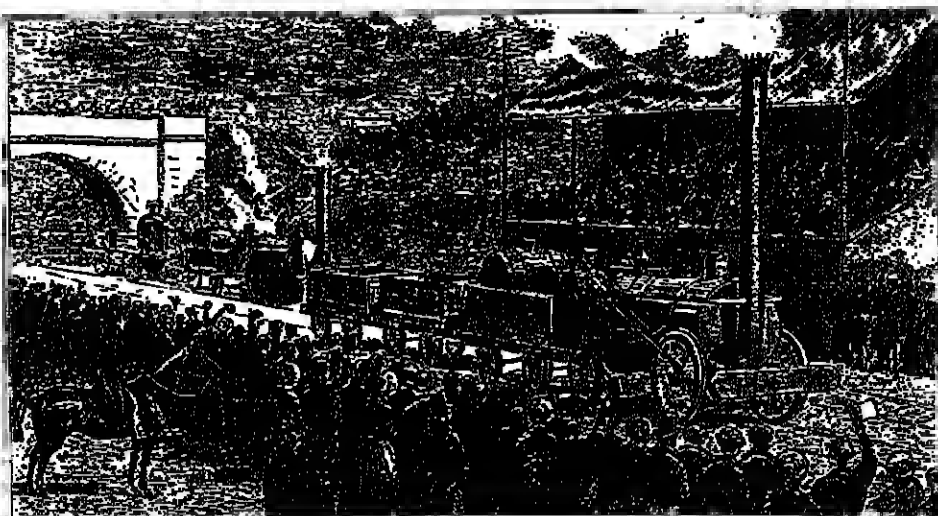
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Iron horse: an engraving of the Rocket at the 1829 Rainhill railway competition

## New life for oldest rail centre

By RONALD FAUX

A LINE of warehouses at Liverpool Road station, Manchester, claimed to be the oldest railway building in the world, are to be restored in a £2.1 million project.

They first made headlines in 1830 on the day the line linking the two cities was opened. The president of the board of trade had his legs severed by one of the new iron monsters — Stephenson's Rocket, perhaps — on the inaugural run to the Mersey. William Huskisson thus became the first railway fatality when he stepped onto the track to cross to the Duke of Wellington's carriage as the train was taking on water. The Rocket ran between Liverpool and Manchester for the next six years.

The warehouses, a main feature of the scheme, are now part of the Museum of Science and Technology in Manchester. At Tuesday's announcement of the restoration plan and the tour of the warehouses there were no trains to threaten officials from English Heritage, the

Central Manchester Development Corporation and the museum, which are jointly funding the project. Although the warehouse was in use until 1975 the railway station and line that served the very heart of the industrial revolution has long since closed. There are plans to refurbish it along with the buildings.

Lord Montagu of Beaulieu, chairman of English Heritage, said the spot marked perhaps the most significant piece of industrial history in Britain or indeed the world. The five-storey warehouses, handsome in their day, took in merchandise for Manchester from around the world at a time when the city ranked fourth in Europe.

Stock sheets show everything from oysters to cotton passing through the building. The style of warehouse soon became a familiar feature all over the country, "so familiar that we can easily forget that the design was once novel and revolutionary", Lord Montagu said.

Patrick Greene, director of

the museum, said that although the building had fallen into disrepair the structure remained largely unchanged with even the original hand-operated cranes surviving. The warehouses will be restored to their original design and in spite of heavy extra costs will incorporate much of the original timber. They will be used as exhibition space displaying material relevant to Manchester's industrial past.

The first four phases of a 12-phase restoration programme will cost £8.5 million. The first exhibition is planned on the ground floor of the building for December 1993. Architects for the renovation are Building Design Partnership, Manchester.

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By RICHARD KELLY

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## Pay rises for personnel chiefs mock inflation rate

By PHILIP BASSETT, INDUSTRIAL EDITOR

SALARIES for personnel managers have increased by almost 12 per cent at a time when they are planning to offer employees rises of only half that amount. The government has been urging personnel managers to negotiate lower pay deals with staff.

Michael Howard, the employment secretary, last week called for realism in pay settlements if jobs were not to be put at risk. However, a new survey of pay rises for Britain's 100,000 personnel managers shows that their increases are running at close to three times the inflation rate.

Details of the survey will be announced at the annual conference of the Institute of Personnel Management, which opens in Harrogate today. It shows that personnel managers' earnings rose by 11.8 per cent. Though that is lower than their 15.6 per cent rise last year, it is still well above the going rate for pay settlements generally, which independent analysts put at about 5 to 8 per cent.

The survey, carried out for the institute by Remuneration Economics, shows that personnel managers had higher rises than their counterparts. Managers in companies' computing departments saw their earnings rise by 11.4 per cent, those in finance departments by 10.8 per cent and those in engineering 10 per cent.

Average annual salaries for personnel specialists were £22,360. Personnel directors earned much more, at an average of £60,876, while departmental managers earned £33,287.

Company cars are being

offered to fewer personnel managers, with 41.2 per cent being given cars in 1991 compared to 43 per cent last year. More personnel staff are receiving private medical care.

Disclosure of the rises that company pay negotiators are obtaining comes as a separate pay survey shows that personnel managers are planning big savings on pay for employees in the coming year.

The survey, carried out by consultants Mercer Fraser and the magazine *Personnel Today*, discloses that personnel managers are budgeting for increases of only 6.3 per cent for their employees next year, just over half the increase that the managers have been receiving.

Within that category, pay increases planned for employees in London are the highest, at 7.1 per cent, while those for employees in Wales and the South-West are the lowest, at 6.1 per cent. Personnel managers in the food and drink industry plan the highest rises for their employees, at 7.2 per cent, while those in building and construction, hard-hit by the recession, plan the lowest at 5.3 per cent.

Barry Curnow, president of the Institute of Personnel Management, said: "The rise [for personnel managers] takes into account that people remaining in personnel departments are taking on extra responsibilities." He said the institute survey showed that redundancies among personnel managers had doubled to 2.3 per cent, excluding companies that had closed in the recession.



Royal tribute: Jenny Mooney, a special-wreath maker at the Royal British Legion's poppy factory, preparing the wreath that the Queen will lay at the Cenotaph in London on

Remembrance Day, Sunday, November 10. The poppy factory in Richmond, southwest London, was founded in 1922 to make poppies for the Poppy Appeal which is the mainstay of the

legion's work in the ex-service community. Last year, as well as 34 million poppies, it made 89,000 wreaths and 450,000 Remembrance crosses. Those helped the appeal to raise £13 million.

## BR accused of dropping sperm flask

BRITISH Rail may receive a compensation claim after a flask containing human sperm was allegedly dropped on a station platform. Part of York railway station was closed for two hours yesterday when the canister developed a leak in a Red Star parcel office.

Firemen and police cordoned off near by buildings as the flask released a cloud of gas after allegedly falling from a British Rail trolley while on its way to a fertility unit in south Wales. The alarm was raised when liquid nitrogen, which keeps the semen frozen, escaped and evaporated. Firemen opened documents to discover what was in the flask.

The British Pregnancy Advisory Service, which sent the three-litre metal container from its Doncaster unit, said it might seek damages if the sperm proved unuseable. Alan Nicholls, its laboratory services adviser, said: "The flask was labelled 'keep upright'." It held semen for in vitro fertilisation treatment.

Brian Bell, of York fire brigade, said: "We have had to deal with spillages, but never a sample of donor sperm." A Red Star spokesman said: "Clearly we are liable for damage caused by our fault."

## Princess puts price on water

By MICHAEL MCCARTHY, ENVIRONMENT CORRESPONDENT

BRITONS should stop laughing at hosepipe bans and wake up to the seriousness of the issue of water, nationally and internationally, the Princess Royal said yesterday.

Although supplies in Britain were limited, hosepipe bans were greeted with mirth or irritation, she said, while in the developing countries water supply was becoming the crucial factor limiting social and economic progress, and was likely to be a future cause of war. "We can live without oil if we have to. We cannot live without water," she said.

Addressing a London conference on water quality, the Princess Royal spoke of the problems that water shortage and pollution were causing around the world. Much of her information was drawn from her travels as president of Save the Children.

Two hundred million people in developing countries lacked safe water and sanitation services, she said, and the figure would double by the year 2000. Cities such as Peking, Lima and Mexico City were already pumping out their groundwater faster than it could be replenished.



Looking ahead: Mr Herbert aims to raise Kew's profile

## Raising cash as well as plants

By RACHEL KELLY

THE first floral love of the new chairman of Kew Gardens, Robin Herbert, was a pink geranium, displayed proudly on his mantle-piece at Eton. Forty-four years later, he holds the two most important jobs in gardening as president of the Royal Horticultural Society and, since last week, as chairman of Kew garden's trustees.

His new job could not easily be described as high profile. But Mr Herbert could change that. "High-profile" well describes a man who stands 6ft 7in in his socks, and he has plans for Kew that will inch him into the limelight.

Kew needs money. A key part of Mr Herbert's role is to secure funds. Since the 1983 National Heritage Act turned Kew into a grant-aided body no longer directly funded by government and run by trustees, Kew has had to find ways of becoming financially independent. The entrance fee is now £3 compared with 15p in 1983.

In his tweed jacket and National Trust tie, Mr Herbert is far from being just a money man. A god-father inspired him as a teenager by showing him many of the greatest gardens and introducing him to their gardeners, including Eric Savill, the Queen's gardener at Windsor. At 16, he inherited a garden in Gwent and a

10,000 acre estate. He has been planting for 40 of his 57 years, chiefly hardy trees and shrubs, and autumn colouring plants, but reserving special pride for plants raised from wild seed sources including his magnolias and camellias.

Nevertheless, Mr Herbert has some useful financial contacts. He is friends with the agriculture minister, John Gummer, a bond forged during his presidency of the RHS and as a trustee of Kew for the past four years. His directorships at the National Westminster Bank and Marks & Spencer should help his search for sponsorship.

But it is chiefly through the Friends of Kew and the Kew Foundation, set up last year to raise funds, that Mr Herbert hopes to raise cash and Kew's profile.

Two ongoing projects should help with the latter. The £1.6 million new Victoria gate visitor centre, complete with ticketing, interpretation and retail centre, opens next year. "I think Kew does not do enough interpretation for visitors," he says.

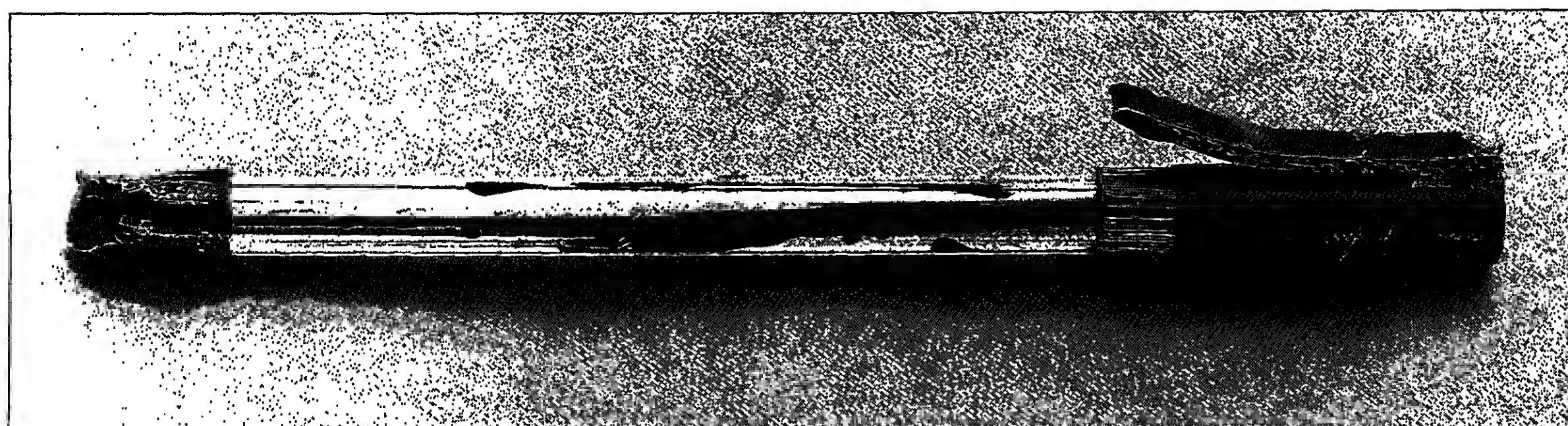
Mr Herbert will also oversee a million pound extension to the Jodrell laboratory, responsible for work on plant chemistry. "I think the emphasis in Kew's profile might change in favour of its scientific work."

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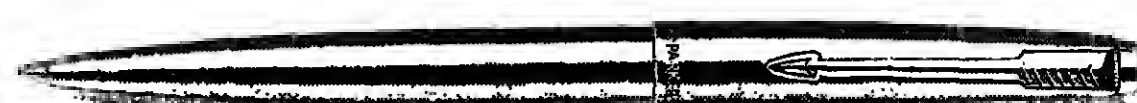
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# Cambodian warlords start talks to end 20 years of bloodshed

By OUR FOREIGN STAFF

PRESIDENT Mitterrand yesterday opened an historic 19-nation conference to end the war in Cambodia, saying the country was about to resume its place in the world.

Amid cheers from hundreds of Cambodian exiles, Prince Norodom Sihanouk, who will head an interim Cambodian administration, arrived at the start of the one-day meeting, with other leaders of the warring factions and foreign ministers, including James Baker, the US Secretary of State and Nguyen Manh Cam, Vietnam's foreign minister.

A treaty to put an end to 20 years of bloodshed and civil war was due to be signed yesterday evening. This provides for a ceasefire, to be monitored by the UN and the setting up of a supreme national council to shepherd the country towards UN-sponsored elections next year. The first small contingent of UN troops will arrive in Cambodia early next month to help maintain the ceasefire until the full UN operation can get under way, probably in four-and-a-half months.

The UN advance mission in Cambodia, led by French Brigadier-General Michel Lardon, will be made up of a total of 268 UN staff, including 50 military officers and 20 minesweeping experts. The mission will also include 75 international staff and 75 locally hired people, and a 40-strong Australian communications unit. Its role will be to help the rival parties in Cambodia police the ceasefire until the UN transitional authority in Cambodia takes over that responsibility.

Mr Baker said on arrival that the treaty could not guarantee lasting peace but would give "great hope". He denounced as an "abomination"

tion to humanity" the killing of more than a million people by the communist Khmer Rouge in 1975-8. "The Khmer Rouge were no ordinary oppressors. In the name of revolution, they used violence against their own people in a way that has few parallels in history," he said.

The Chinese-backed guerrilla movement was represented at the conference table by one of Pol Pot's chief aides, Khien Samphan, who participated in the bloody Khmer Rouge rule over Cambodia. Hun Sen, the Cambodian prime minister, whose Vietnamese-installed government is one of four Cambodian factions signing the accord, said he "shared the joy of the Cambodian people". But he accused the Khmer Rouge of creating "new problems," which he did not specify. He said the Cambodian police would be able to guarantee Prince Sihanouk's safety when he returned to Phnom Penh on November 14.

The UN operation will cost at least \$388 million, the most expensive the world body has yet undertaken. At stake is the potential stabilisation of a whole region from the Chinese borders to those of Thailand, the possibility of the return of Vietnam to the international fold and a sharp reduction of tensions in the Pacific region.

The original estimated requirement for the UN transitional force was 10,000 civil and military personnel who might, as one diplomat put it, "have to do everything, including collecting the garbage". The progress shown in the lead up to Paris has convinced many that the force's task will not now be so fearsome as it was, with the ceasefire more or less holding since May 1. But keeping the peace will be no easy task.

The backbone of the peacekeepers are expected to come from the classical providers of such personnel: the Canadians, the Poles, the Nordic countries, and the Australians. This time expectations are high that Japan will make its first contribution to such a peacekeeping mission - if it can get the requisite legislation passed by the end of the year. Certainly Tokyo is expected to make a large voluntary cash contribution beyond the 12 per cent it must pay under its UN obligations. Already Australia has vowed to make

no charge for providing up to 40 communications experts and all related equipment for the UN mission.

Britain is to offer direct aid to Cambodia for the first time and will also contribute to the cost of the reintegration into Vietnam of the boat people from camps in Hong Kong and the region, Lord Cairness, minister of state at the Foreign Office, announced in Paris yesterday.

He said the aid would include \$2 million towards the repatriation of people in camps along the Thailand-Cambodia border, and \$3 million to support humanitarian programmes, including one run by the World Health Organisation to combat the spread of malaria.

Diplomats voiced private concern that the intricate peace accords could collapse if the Khmer Rouge ignore its key clauses disarming guerrilla forces and bide their time for a fresh bid to seize power.

Leading article, page 19



Praying for peace: Prince Sihanouk arriving at the Paris conference yesterday

## Pol Pot's elite hidden in jungle

FROM JAMES PRINGLE ON THE THAI/CAMBODIAN BORDER

THE Khmer Rouge, which yesterday signed a peace accord in Paris with the other three Cambodian factions, has a secret army hidden in the Cardamomes mountains of southwest Cambodia, a well-informed source said here.

The secret army, which is thought to number several thousand and is believed to be a kind of praetorian guard for Pol Pot, the Khmer Rouge leader, lives in dense jungles and has no contact with the exterior. Its fighters "do not know the taste of capitalism," the source said, speaking in the Thai border town of Ban Aranyaphrathet.

"They are 'pure and hard' like the original Khmer Rouge," said the source. "They have no experience with the more relaxed atmosphere and the trading along the Thai border. They are the least changed, and their leaders want to keep it that way."

Other Khmer Rouge groups have been dealing with Thai traders along the border. They have become less hardline, sometimes wearing Buddhist amulets, and T-shirts depicting Thai beauty queens. The secret Khmer Rouge army wears Chinese-style khaki uniforms, and black rubber sandals.

They were almost totally self-sufficient, the source said, and had plentiful arms and ammunition.

Pol Pot, under whose rule an estimated one million Cambodians died, lives in southeast Thailand, not far from the Cardamomes, which were over thoroughly penetrated while the Vietnamese army occupied Cambodia from 1979 to 1989.

Another Cambodian source familiar with the area controlled by those who resisted the Phnom Penh regime, said there were several "completely inaccessible" base camps in these mountains. "The Khmer Rouge have been there since the early 1970s, and are well established in several secret bases. They even grow their own rice on the hillsides."

This source said it would be "very difficult" for the United Nations peacekeeping troops, who will monitor the ceasefire, to supervise the partial dismantling of the factions' armies and to search for arms caches.

"They are inaccessible on the ground except to jungle fighters like the Khmer Rouge, and there is nowhere for a helicopter to land."



Nguyen Manh Cam in Paris yesterday

## Marcos faces new charges

Manila - Twelve days before Imelda Marcos, the former first lady, returns home from exile, the Philippines government yesterday filed new charges, accusing her of stealing more than \$208 million (Abby Tan writes).

Mrs Marcos has declared that she is innocent and ready to return home from Hawaii on November 4 to face trial on charges of tax evasion, seizing territory and corruption.

Earlier, the government filed a petition in court to freeze and forfeit the money found in three Swiss banks.

● **Wired up:** The government has said it will return Mrs Marcos's shoes and bullet-proof bra if she can prove that she bought them without using public funds. Horacio Paredes, a press under-secretary, said yesterday. (AFP)

## Monarchy ends

Port Louis - The Queen will cease to be Mauritius's head of state when it becomes a republic next March. Sir Anerood Jugnauth, the prime minister, announced. He discussed the matter with the Queen at the Commonwealth summit in Harare "and her response was positive", he said. (Reuters)

## Haiti pullout

Port-au-Prince - The US ambassador to Haiti has urged American citizens to leave "now". Alvin Adams said that he and his wife would go this week because the situation, following the ousting of the president last month, was the most serious he had seen. He told Voice of America suffering would increase. (AFP)

## Close shave

Jakarta - Indonesian military authorities are considering shaving the heads of reckless public transport drivers after roadside "trials" to enforce road discipline, press reports said. The punishment is already imposed on young people caught in a campaign launched in August against undisciplined youth. (AFP)

## US hints of new Hanoi ties

FROM MARTIN FLETCHER IN WASHINGTON

SIXTEEN years after the fall of Saigon, James Baker, the American Secretary of State, announced yesterday that America was ready to negotiate the normalisation of relations with Vietnam. He said the talks, which should end one of the most painful chapters in American history, could begin next month.

Mr Baker made the announcement shortly before Vietnam, which has propped up the Hun Sen regime in Phnom Penh, fulfilled a key American precondition for normalisation by signing in Paris a United Nations-sponsored peace plan to end 20 years of conflict in Cambodia. Mr Baker emphasised, however, that progress would depend on full Vietnamese co-operation in accounting for the 2,300 Americans still missing after the war.

Yesterday's announcement was in line with a four-stage "road map" for normalising relations which the Bush administration gave Hanoi last April. The first stage was signing yesterday's agreement, and Mr Baker said that Washington intended to "remain true to that pathway approach" by proceeding to direct talks with Hanoi.

The second stage will involve a partial lifting of the American economic embargo imposed on Vietnam in 1975 as the Cambodian ceasefire takes effect and a UN transitional presence is established. The third stage, starting after a further six months and once all Vietnam's armed forces had left Cambodia, would include an end to the embargo and American support for international loans to Hanoi. Normal diplomatic relations would follow the emergence of a new elected national assembly in Cambodia.

Britain stands to benefit considerably from an easing of the American embargo, since the wretched economic state of Vietnam has been the main cause of the boat people's exodus to Hong Kong.



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## Economic gloom hits president's popularity

FROM PETER STOTHARD IN WASHINGTON

FOR the first time in his presidency, less than half the electorate would like to see George Bush re-elected to the White House, according to an opinion poll published yesterday.

Loss of economic confidence is the principle cause of the fall in the president's popularity measured in the Washington Post-ABC news survey. Only 37 per cent of those polled approved the president's handling of the economy, down five points in a month, and the same percentage said that a Demo-

crat alternative would be preferable, even though no frontrunner to challenge Mr Bush has emerged. In all, 47 per cent expressed an inclination to vote for the president, down from 68 per cent in March after the Gulf war. Fifty-one per cent agreed with the statement that "after four years of George Bush we need a president who can set us off in a new direction".

The poll appeared the day after a New York Times-CBS survey reported that 60 per cent of Americans now felt that "things in the country had gotten pretty seriously off on the wrong track". That is almost twice the number recorded in January. Forty-two per cent of those questioned in the ABC poll named an economic issue as their chief concern, 16 per cent more than a month ago when drugs and crime predominated.

The White House yesterday attempted to shrug off the adverse numbers. Martin Fitzwater, the White House spokesman, said that "polls go up and polls go down but the American people know that George Bush is doing a good job". Behind the scenes, however, the administration is alarmed by the lingering recession and divided about what, if anything, should be done to counter its impact.

The president's own economic instinct, backed by his chief economic advisers, is to do as little as possible. He is concerned that a shift of course could break the fragile budget deal with Congress while merely boosting an economy that is already on its way out of trouble.

But the politics of the recession have begun to dominate the daily Washington agenda. With an end to the Clarence Thomas affair, and with foreign affairs dominated by a Middle East peace conference that little excites Americans, the Democrats have seized on the national sense of economic fear.

Mario Cuomo, the governor of New York, who is poised to enter next year's presidential race, set out on Tuesday how he would attack Mr Bush if he decided to run. The Bush record on economic growth was "worse than Jimmy Carter's", he said. The notion that Bush was unbeatable was "a joke".

No presidential candidate has yet caught the tide but the White House wants to take no chances. It wants at least to march Democrat rhetoric about the need for a tax cut to help the middle classes.

Some presidential aides, led by Jack Kemp, the housing and urban development secretary, want to go further and reopen the battle for the president's personal totem, the capital gains tax cut, defeated by the Democrats during the budget negotiations last year.

There is little confidence that actions taken now will make much difference to the stuttering economy still dragged back by its heavy burden of debt. But, with the election only a year away, no politician likes to seem as powerless as he feels.



Bush: planning to visit California next month

### 'Plot' to kill Bush thwarted

FROM JEFF WILSON IN LOS ANGELES

A MAN who stockpiled weapons in his home may have been plotting to assassinate President Bush during his visit to southern California next month, officials said.

Thomas Ward, aged 45, was arrested on Sunday at his Oxnard home, where agents seized 34 firearms, including 12 automatic weapons, silencers, grenades and 27,000 rounds of ammunition, an official of the Ventura county sheriff's office said. He may have been plotting to kill Mr Bush during the dedication on November 4 of the Ronald Reagan presidential library and public affairs centre in Simi valley, the official said.

The Los Angeles Times, quoting an unidentified law enforcement source, said yesterday Mr Ward had told an informant he recently explored the hilly area around the library to learn where he could get the best shot at Mr Bush. President Bush and the former presidents Reagan, Ford and Nixon plan to attend the library ceremony 50 miles northeast of Los Angeles.

The sheriff's official said: "We are in the infancy of the investigation, but it does not appear he was connected with any subversive or militant groups."

Doug Carver of the Secret Service office in Santa Barbara, which has jurisdiction over the Oxnard area, said the agency received information in July that Mr Ward made remarks threatening President Bush. When he was arrested, Mr Ward denied making any threats. (AP)

### Commuters killed on eve of ANC talks

FROM RAY KENNEDY IN JOHANNESBURG

AT LEAST nine people were killed and 36 injured early yesterday when gangs of Zulu hostel dwellers attacked black rail commuters between Soweto and Johannesburg.

Hundreds jumped in panic from moving trains as the killers, armed with guns, machetes and knives, launched what appeared to be co-ordinated attacks at three stations. Police put the death toll at nine, but the African National Congress claimed that 13 people had been killed and called for increased self-defence measures for township residents. It accused the authorities of not doing enough to safeguard people's lives.

Both the ANC and the Zulu-based Inkatha Freedom party blamed each other for the deaths. Only one fact appeared certain - that once again violence has escalated on the eve of another move towards constitutional negotiations, this time the Patriotic Front conference to be held in Durban this weekend. It is hosted by the ANC and the Pan-Africanist Congress (PAC) but the Inkatha Freedom party has not been invited.

Themba Khoza, Inkatha's

Transvaal leader, claimed: "This clash occurred when a group of ANC supporters prevented people from boarding or leaving a train at Nancefield station." Police said it started when a Zulu-speaking man was attacked and killed on his way to the station from Nancefield hostel near by. Soon afterwards, a group of men attacked commuters at the station, they said. A gunman, who fired on police from the hostel, was wounded but police were unable to find him when they searched the building.

Nisundeni Madzunya of the PAC said police had done nothing to disarm about 1,000 hostel residents wielding axes and other "so-called traditional weapons". Lieutenant-Colonel Tienie Halgryn of the Soweto police said that there were too many to be "dispersed just like that". Further along the line at Orlando station, passengers fought their attackers.

Witnesses said they saw dozens of people, dead and wounded, lying along the tracks. One man was hacked to death by a gang as he tried to flee from one train. His body was hit by another train, they said.



Family business: Mr Nath introduces his grand-daughter to a cobra

## Indian tradition loses its charm

FROM CHRISTOPHER THOMAS IN MORBANDI

TIMES are changing in Morbandi, a village of 200 snake charmers on the southern outskirts of Delhi. "Young people don't want to do this kind of work," says Prabhu Nath, who wears the saffron robes of the guru. "They want to be truck drivers and government clerks."

The village is in uproar over a festival to appease the terrible goddess Kali. She is being offered huge quantities of alcohol, and everybody is drunk. Mr Nath shows off a batch of snakes he caught in the forests of Punjab. One hisses and catches a child on the wrist. The boy screams as blood gushes from his arm and everybody laughs. As luck would have it, the snake's venom had been removed and sold for medicine.

"I have been bitten many times by cobras who still have their venom," says Mr Nath. "One of our skills is knowing the right herbs to use as an antidote. Occasionally somebody dies, of course, but that is fate. If

you are destined to die, the herbs won't work."

Snake charmers are harassed by police whenever they draw a crowd. Satpal Nath, aged 18, says he does not want the job. "I don't want to be a beggar asking for handouts. I am studying. I want a government job so I have security."

Mr Nath, who thinks he is in his sixties, has five sons, four of whom he has ordered to become snake charmers. "The government says we must educate our children, so the fifth son goes to school and will get a job for wages," he says.

As a guru, Mr Nath must teach those who wish to follow the family tradition. "First, they must learn how to catch snakes. Then it is necessary to understand which herbs will protect them from the venom."

He says snake charming has been good to him. "We own the land on which our houses stand. This is a good village. I find it sad that so many of our young people want something different."

## UK keeps watch on China jails

London - Britain yesterday voiced concern over human rights in China at talks here between Zou Jiahua, a deputy prime minister, and Douglas Hurd, the foreign secretary (Michael Binyon writes).

During a 45-minute meeting, Mr Hurd asked for news of the political prisoners whose names were on a list handed over to the Chinese by John Major during the prime minister's visit to Peking last month. Mr Zou is the most senior Chinese politician to visit Britain for five years.

### Imperial birth

Tokyo - Princess Kiko, aged 24, the wife of Emperor Akihito's second son, Prince Akishino, has given birth to the emperor's first grandchild, a girl, the imperial household agency reported. (AP)

### Birds of prey

Taipei - Car thieves in Taiwan have evaded police while collecting ransoms from owners for the return of their vehicles by using homing pigeons. They leave a note and a pigeon, promising to return the car if the bird returns with the cash, police said. (Reuters)

## Palestinian challenge

FROM JERUSALEM

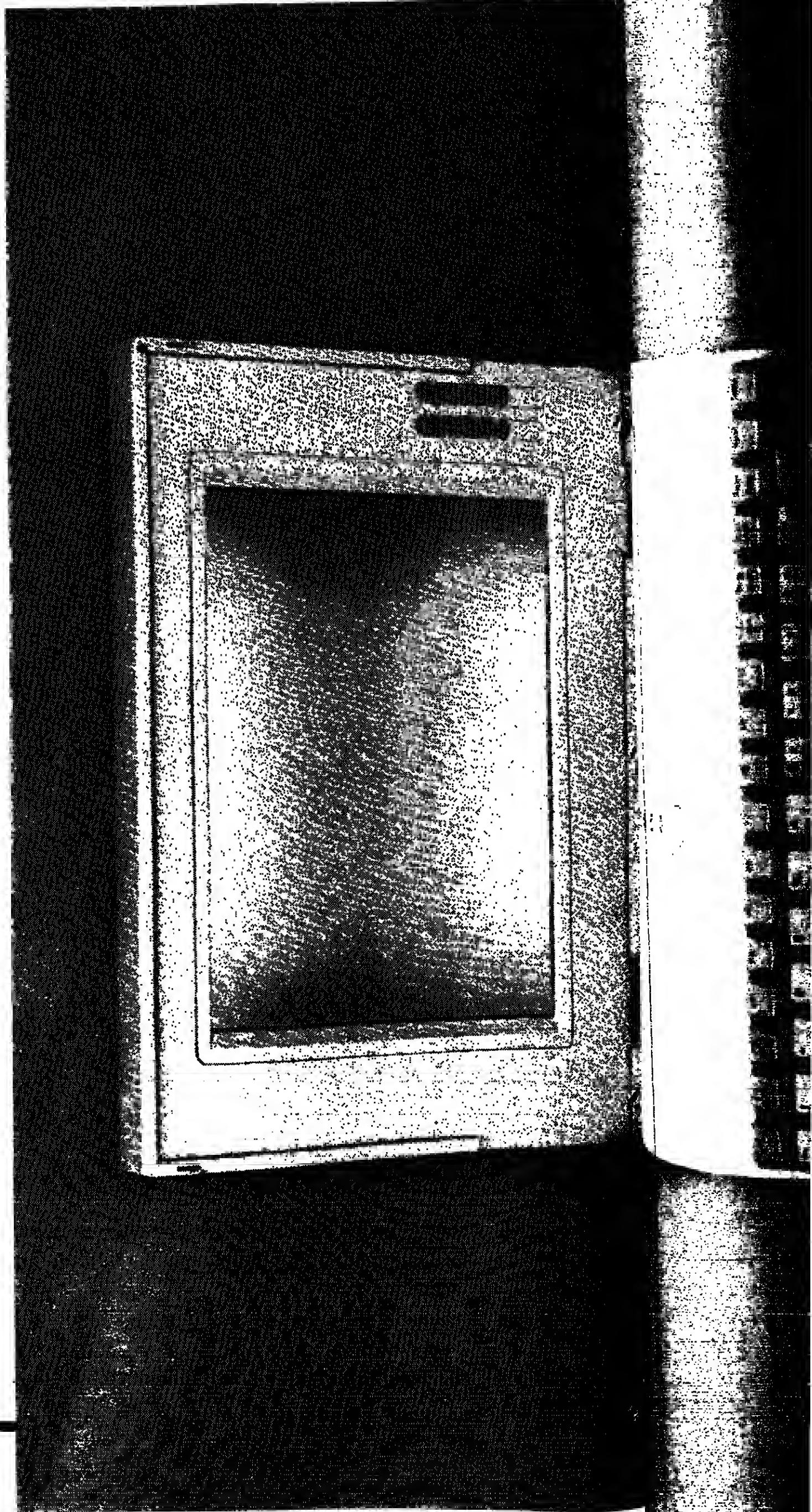
THE PALESTINIAN challenge to the status quo in the West Bank and Gaza Strip is growing, according to a report by the Israeli Defense Forces (IDF) intelligence branch.

The report, which was obtained by the Israeli press, says that the PLO is planning to launch a series of attacks against Israeli settlements and military installations in the West Bank and Gaza Strip.

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pursues  
reliability  
open  
and close  
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## Middle East conference

# Palestinian strikers challenge peace move

FROM RICHARD BEESTON IN GAZA

THOUSANDS of Palestinian workers held a one-day strike in Gaza yesterday to protest against the planned talks with Israeli delegates at the Middle East peace conference in Madrid next week.

In what was seen as a challenge to the mainstream Palestine Liberation Organisation factions, which have agreed to participate in the peace talks, Palestinians in the occupied territories and in the West Bank heeded strike calls by a new rejectionist front.

The division in the Palestinian community, in the run-up to talks that could prove decisive in this people's troubled history, was demonstrated by one unfortunate delegate. Fehi Abu Meddin, a Gaza lawyer, found his secretary had not come to work as he prepared for his Madrid trip.

Although the opposition has not yet turned violent — there were only a few stone-throwing incidents yesterday — it became clear that there is real potential for inter-Arab feud-

ing once the issue of Palestinian self-rule is negotiated.

"We expected divisions and resistance in the community to the conference because we are after all attending them under Israel's conditions," said Dr Haidar Abdul Shafi, aged 72, who will head the 14-man Palestinian negotiating team. "There are ample reasons why there should be opposition, but I am convinced there is something to be gained by attending."

Under the terms of the conference, the 1.8 million Palestinians in the occupied territories are being offered a five-year period of self-government. Negotiations would begin in the third year to decide its final status. Palestinians want an independent state, while Israel insists that they will be granted only autonomy.

Mr Abdul Shafi, who was a founding member of the PLO in 1964, but now emphasises that he belongs to no specific organisation, said his address to world leaders would dwell

on a peaceful future settlement.

While that approach is bound to impress the delegates, his rivals in the Popular Front for the Liberation of Palestine, the Democratic Front for the Liberation of Palestine, the Islamic Jihad, and Hamas, the Islamic resistance movement, are planning a week of protests.

Dr Mahmoud al-Zahar, of Hamas, said he believed the lives of the Palestinian participants would be in danger if they negotiated and argued that they would be offered only a package of limited autonomy. "We will have the same conditions but lose our status as an occupied state. We will lose our case and the sympathy of the Muslim and Arab world."

Although the arguments over Palestinian independence will have to be worked out in Madrid, any suggestion that the Palestinians are willing to bargain away sovereignty is likely to lead to inter-Palestinian bloodshed.



Street protest: Palestinian women in the occupied territories passing an Israeli policeman during yesterday's strike

## Arabs try to forge Madrid strategy

FROM MICHAEL THEODOULOU IN NICOSIA

ARAB foreign ministers met in Damascus yesterday in a drive led by Syria and the PLO to forge a joint strategy before the Middle East peace conference, which opens in Madrid next Wednesday.

The PLO, which will not be directly represented in Madrid, fears Arab double-dealing as much as Palestinian disunity or American duplicity and wants to make sure that Syria, Lebanon and Jordan do not sign separate peace treaties with Israel while the Palestine issue is ignored.

After the conference's ceremonial opening on October 30, the main delegations face Israel separately. American letters of assurances to the different parties have ruled out linkage between the various bilateral talks so that a delay in one set of negotiations will not delay others.

Lebanon, whose foreign policy is dictated by Damascus, was represented by its transport minister, Chawki Fakhour, Saudi Arabia's foreign minister, Prince Saud al-Faisal, joined the meeting as an observer representing the six-nation Gulf Co-operation Council. Morocco's foreign minister, Abdellatif Filali, represented the five North African Maghreb Union states.

Farouk Kaddoumi, the PLO's "foreign minister", said the meeting would "establish a united stand that will represent the Arab cause and serve world peace". But closing ranks is easier said than done when alliances have been in a constant state of flux and relations between those meeting in Damascus have ranged from icy to downright hostility.

Syria, now united with Egypt after joining the Gulf war coalition, led the drive to isolate Egypt after Camp David in 1979. Syria and Jordan have been on the brink of war in the past, and Jordan and the PLO fought a bloody war in 1970. Syria's President Assad and the PLO leader, Yasser Arafat, ended an eight-year rift at the weekend.

As if to allay fears of a Syrian betrayal, the Damascus press insisted: "Where land is concerned, Syria's concern is not solely for the Golan Heights: it is every inch of Arab territory occupied by the Zionist entity since the creation of its state in Palestine."

The Damascus meeting was also called to forge a common Arab stand on the third stage of the conference: multilateral talks with Israel on issues like water, arms control, refugees, and the environment.

Meanwhile, at the end of an Iranian-sponsored conference in Tehran on Palestine, hardline factions demanded an armed struggle to destroy the state of Israel. In a closing statement they called for "total liberation of occupied lands, eliminating of the Zionist existence and creation of an independent Palestinian state".

## Baghdad promises cheap food

Baghdad — The Iraqi government promised yesterday that it was sending huge quantities of cheap food to shops that have been stripped bare by panic buying. The government media said meat, chicken and eggs were on their way to government shops where the controlled prices are about a quarter of those on a nervous free market.

Newspapers said the authorities had rounded up a gang which made a killing when rumours of more shortages pushed up prices and cleared stock out of both government and private shops. "They will be transferred to the concerned authority to be punished," *al-Thawra*, which is published by the ruling Baath party, reported.

*Babil*, a newspaper owned by President Saddam Hussein's son, Uday, said shops run by the trade unions were receiving foodstuffs such as tea, rice, sugar, tomato paste and lentils for sale at government prices. It criticised the "unpatriotic conduct of some profiteers who have no concern for the country's interest".

Queues formed at government shops at midday for the monthly rations of sugar, rice, flour, tea, meat and chicken to which state employees are entitled. But even when these shops are fully stocked, they meet only about one-third of basic needs. On the free market, demand usually outstrips supply. Rationing has been in force since the Gulf war.

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## Bridge of peace fails to heal rift

FROM CHRISTOPHER WALKER IN TABA, SINAI

HOPES that this 750-yard stretch of Sinai coastline would become a "bridge of peace" between Israelis and Egyptians have been dashed by the bitter experience of trying to reconcile the lifestyles and cultural differences of the two former enemies.

When the luxury 13-storey Israeli hotel and other beach facilities were handed back to Egypt in March, 1989, Tahseen Bashir, an Egyptian commentator, expressed aspirations that the two races would mix in a relaxed atmosphere. The reality has fallen depressingly short. Daily life in the last chunk of Israeli-occupied land handed back to Egypt in exchange for peace augurs badly for the chances of any lasting success at next week's Middle East conference in Madrid.

Only five of the 300 staff now working at the hotel are still Israelis. The others left or were dismissed under implementation of Egypt's labour laws.

The warning signals were there from the moment the Egyptian flag was raised. Egyptian workers chanted: "Taba today, Palestine tomorrow", while members of the Israeli staff burnt tyres in a bizarre imitation of the Palestinian intifada.

Situated only ten minutes from the Israeli town of

Eilat, but a punishing five-hour drive from Cairo, the hotel is usually less than half full. Yesterday, it had a curiously haunted feel as the under-employed staff wandered vacuously among the palm trees and the poorly maintained equipment.

The Egyptian government still classifies information about the number of visitors to Israel as a security issue and maintains an international border north of Taba that can take would-be guests at the hotel up to an hour to cross. "The Egyptian guards employ every bit of red tape and make it clear they do not like where you are coming from," said one European visitor.

Since the 1979 Camp David treaty, about one million Israelis have toured the pyramids but few Egyptians other than journalists, diplomats and tour operators have visited Israel. Typically, in a relationship which has got worse since the treaty was signed, both sides blame each other.

Israelis accuse the Egyptians of erecting such formidable bureaucratic obstacles that tourist visas to cross into Israel are virtually impossible to obtain. For its part, Egypt claims that few of its citizens want to visit Israel, even less since the repression of the intifada began in 1987.







# Secrets of successful ageing

State pensions are not enough to ensure care for an ageing population — but is private insurance the answer? Thomson Prentice reports

Health pundits call it "successful ageing" and it means staying reasonably fit and independent until almost the end of our days. For many of us, life will prove to be less kind, but how do we improve the chances of a ripe, and secure old age?

The question acutely concerns many of Britain's elderly population. William Waldegrave, the health secretary, yesterday drew his suggestion that tax concessions for the over-60s who take out private health insurance might be cut. He was overruled by the government after his initial remarks irritated Norman Lamont, the Chancellor of the Exchequer. But the confusion provoked by Mr Waldegrave's comments have led to anxiety among many people considering health insurance.

Britain is a greying population, with nine million people aged over 65. Consequently, more people are at risk from the health problems of old age, including heart attacks and strokes, multiple sclerosis, diabetes and cancer — and the cost of care is rising. At the same time hospital geriatric wards are being closed and the emphasis is being put on care within the community, and on privately run nursing homes.

So what plans should we be making to ensure that we spend our declining days in our own homes, or that we can then afford to be housed and looked after elsewhere?

One solution now on offer is that we insure against old age to a revolutionary way. In the past few months, a number of insurance companies have for the first time produced policies specifically shaped to cover the costs of long-term treatment, care and support for the elderly.

"Insurance against old age and all that may come with it has been redefined," says John Castagna, of Aetna UK, a subsidiary of one of America's biggest medical insurers. "People have got to think about their whole life-span. We may live 20 or more years after retirement, and a pension may not be enough."

None of the new insurance plans will cover existing chronic illnesses, meaning persistent, long-lasting and incurable conditions such as chronic arthritis, chronic bronchitis, multiple sclerosis, senile dementia and Parkinson's disease. Cover applies only if such an illness is diagnosed after the patient has taken out a policy. And as joining after the age of 75 is usually not permitted, it is obvi-

ously an advantage to take one out while still in good health.

With this in mind, Aetna is aiming at the 40-65 age group. With minimum monthly contributions of £20, policyholders are covered for the costs of being cared for at home, or in a nursing home, of up to £1,800 a month.

Commercial Union, one of Aetna's rivals, launched a series of plans in June, aimed at a similar age group, although one of them is open to people aged up to 74. The Well-Being scheme, is designed for 40-65s, and pays for care services either at home or in a residential establishment. The CU Health-Wise scheme, for the over-60s, provides cover of up to £60,000 for medical treatment, and has no upper age limit. The Third Age Initiative, also from

**'People have got to think about their whole life-span. A pension may not be enough'**

CU, provides for long-term care, life and disability insurance and medical expenses.

Benefits are also payable if the policyholder suffers from certain mental illnesses such as Alzheimer's disease, the commonest form of senile dementia, and needs continual supervision. Premiums start at £20 a month.

Last week Prime Health, a subsidiary of Municipal General Insurance, produced its long-term care package which has no minimum age and which can cover all needs, including hospital treatment and nursing home care. The company sought the expertise of a professor of geriatrics to develop its scale of qualifying disabilities.

The monthly cost to join at the age of 50 to cover home care services is £28. That rises to £45 a month for those joining at the age of 60, £61 a month at 65, and £107 at 75, the upper age limit.

All such schemes begin to pay out only after the policyholder has been newly diagnosed as having a disability or disease that requires care provision. There will be some form of assessment, such as the individual's ability to perform a number of normal daily activities — for example, getting out of bed unaided, or washing, feeding and

dressing without help. The Prime Health list of disabilities includes blindness, deafness and loss of dexterity.

All of these deals are a gamble by the insurers. They are asking millions of us, many still relatively young, to start investing large sums of money against the day, sometime in the next century, when we may need expensive and lengthy medical care.

The unstated belief of the insurers is that we will not get what we need from the government. To *The Challenges of Ageing*, a report published last month by the Association of the British Pharmaceutical Industry (ABPI), researchers say: "Whatever the colour of the government, long-term care of elderly people seems set to develop as a sector predominantly supplied by private and voluntary organisations. It is also likely to be increasingly privately funded, with state funding concentrated on providing a safety net for elderly people without means of their own."

William Laing, a health economist and a co-author, says in the report: "It is important to emphasise that the government's attitude towards long-term care differs fundamentally from its attitude towards acute health care services."

"Whereas the NHS reforms involve a clear commitment to a comprehensive, publicly funded system of acute health care, largely free at the point of delivery, there is no such commitment to long-term care."

This prospect worries charities such as Help The Aged and Age Concern, despite such evidence of government commitments to long-term care as the increases in residential care funding announced this week by Tony Newton, the social security secretary. The allowances, ranging from £160 to £250 a week, will rise by £15 a week next year.

The average cost of nursing home care currently is about £13,000 a year, and the average pension is about £3,000 a year.

Wendy Wakefield, of Help The Aged, says: "To bridge the gap, many of today's elderly have to sell their home and surrender their savings. Insurance schemes for long-term care are far beyond the means of many people, so it is essential that the NHS continues to provide free access to such care, and that local authorities put sufficient funding into community care at home, or into appropriate care in residential or nursing homes. The old people of Britain deserve nothing less."

Mike Hall, a researcher and co-author of the Association of the British Pharmaceutical Industry (ABPI) report, *The Challenges of Ageing*, offers a "Four Es" recipe for retarding the ageing process:

- Early diagnosis of diseases likely to afflict old people, such as cancer, diabetes, high blood pressure, osteoporosis.
  - Elimination of known factors that endanger health, such as smoking, obesity, poor diet, drug or alcohol abuse.
  - Education to bring about healthy changes in lifestyle.
  - Encouragement of more research into degenerative conditions, such as Alzheimer's disease and Parkinson's disease.
- John Griffin, the director of the ABPI says: "Successful ageing, in the sense of maintaining independence until close to death, appears to be a realistic goal. The majority of old people are active and healthy. More than 150,000 people in Britain are aged over 90, and one in five of them are still driving cars."

- Good health in old age depends on a list of factors, including diet, weight control and exercise, according to World Health Organisation recommendations endorsed by the United Kingdom's health department.
- Diet: Eat enough to maintain normal weight, include plenty of vegetables, fruits and calcium-rich foods. Cut down on fats and salt.
- Exercise: Take some regularly. Even a daily walk improves self-esteem, mobility and cardiovascular function, and reduces risks linked to osteoporosis.
- Smoking: Don't.
- Social contact: Stimulates mental and physical activity, encourages a healthier lifestyle.



Mike Hall, a researcher and co-author of the Association of the British Pharmaceutical Industry (ABPI) report, *The Challenges of Ageing*, offers a "Four Es" recipe for retarding the ageing process.

## Happy as a sandboy

Can't take the strain? Get in a sandpit

The therapy room in analyst Joel Ryce-Menuhin's house looks like a child's delight. There are two sandtrays and an assortment of miniature figures — toy cars, trees, animals, bridges, people.

The sandtrays and the toys are not meant for children; they are said to be the latest way of enabling adults to come to terms with a crisis, such as bereavement, divorce, redundancy — or to help those who feel they have never fulfilled their potential.

Mr Ryce-Menuhin trained as a Jungian analyst and discovered the "wonderful therapy" of sandplay, a technique developed by the Swiss therapist Dora Kalff. In sandplay, patients simply construct what they wish with the sand and the toys available. "The figures that patients pick out will be symbolic of something important in their lives," Mr Ryce-Menuhin says. "Divorces who can't recover from the trauma of a marriage breakup often trace the pattern of their marriage by using the figures. As the weeks go by, we find that the constructions start to develop, like a play."

"While they are constructing, I sit in the background taking notes, and saying nothing. I always take photographs, so that there will be a permanent record."

The therapeutic aspect comes, of course, from interpretation of the designs and constructions patients make. "I have to be careful," Mr Ryce-Menuhin says, "not to start to interpret too quickly, or to ask leading questions. Through using the figures, people begin to see patterns in their lives which have eluded them before. These decisions and choices people have made start to fall into place, and they can lose their bitterness and anger."

"The point of sandplay is that it helps people use their imagination, rather than relying on rational thought process. And this can bring about breakthroughs in understanding. It is enjoyable and not seen as threatening, as traditional analysis often is."

Children are occasionally allowed into the Jungian sandpit. Mr Ryce-Menuhin considers it particularly useful with adolescents.

LIZ HODGKINSON

● *Jungian Sandplay: The Wonderful Therapy*, by Joel Ryce-Menuhin, is published by Routledge at £12.99.

## The fear of death by fear

THE belief that people can die of a broken heart is accepted; doctors are well aware that the increase in the mortality and morbidity among near relatives of a recently died patient is not only the result of being chilled by the church or at the graveside but is related to bereavement.

To conduct controlled research on the effect of emotion on disease patterns is always difficult, however. The Gulf war has proved an opportunity to test another well-established belief, hitherto equally difficult to prove, that patients can be frightened to death.

Usually in a battle or air raid those deaths which have occurred by heart disease induced by fear have passed without much comment or later research, as the doctor's attention has been directed to the far greater number who have died, or been maimed, as the



**MEDICAL BRIEFING**  
Dr Thomas Stuttford

direct result of enemy action. The short-lived bombardment of Israel by Scud missiles, which caused comparatively little damage and few casualties but general alarm, was an unusual opportunity to study the effect of fear on heart attack rates.

A team of Tel Aviv doctors working in one of the district hospitals has reported in *The Lancet* on the incidence of acute myocardial infarction

(coronaries) and sudden death among Israeli civilians in the community. The report analyses the numbers treated in the coronary care unit and in the mobile intensive care ambulance during the week of the Iraqi missile war.

No missiles actually fell in the catchment area of the doctor's hospital but the possibility of imminent death resulted, not unnaturally, in anxiety which was intense, sustained, and widespread. The study compares the week of the bombardment to other weeks before and after it, and similar weeks in other years. The sudden death rate in the community was doubled during the crucial week and there was a threefold increase in the rate of admission to the coronary care unit at the hospital, but once patients had been admitted, the mortality rate was comparable to that of other years.

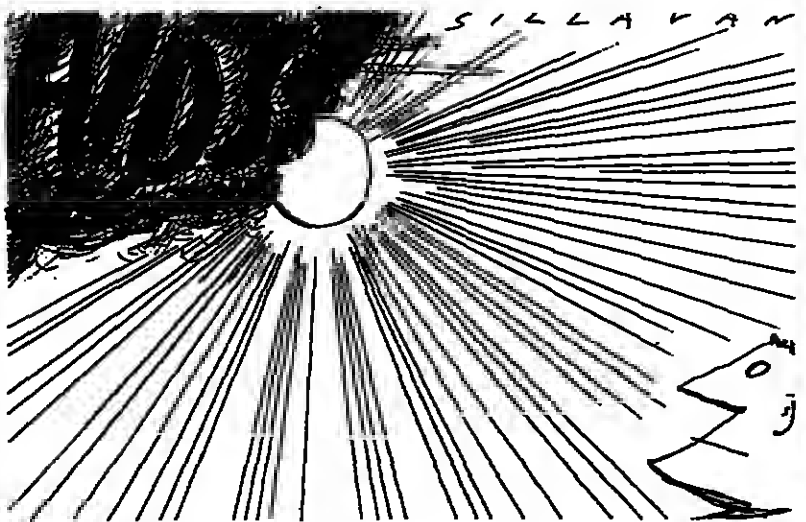
## Comfort and possible joy

MICHAEL CASHMAN, the actor who became known to millions when playing a homosexual role in the television series *EastEnders*, returns to the East End tomorrow when he opens the Graham Hayton Unit, the HIV out-patient clinic which is attached to the Ambrose King Centre at the Royal London Hospital in Whitechapel.

Mr Hayton was one of the early patients of the clinic but never allowed AIDS to destroy his enthusiasm. Despite his illness, he became one of the founder members of Frontliners and helped to write a patients' manual *Living With Aids*. Mr Cashman, who despite brickbats and even the occasional brick, has championed the cause of gay rights and Aids charities, was an old friend of Mr Hayton.

Interior decorators have ensured that the Graham Hayton Unit is as comfortable and relaxing as any VIP airport lounge, albeit without the free drinks, but the 140 patients who regularly use, and help to determine the policy, in the unit are always assured of coffee, advice and, if needed, a medical consultation. The atmosphere in the unit reflects recent reports that British doctors and nurses find it difficult to talk to homosexual patients even when fit, yet alone ill.

The London Hospital is taking part in the Medical Research Council multi-centre trial of the new drug DDI (didoxynosine). The drug is, as yet (didoxynosine), for general use in Britain but recently, in response to a campaign by the Aids lobby, was made available in the United States, even before safety trials were completed, for the treatment of patients with advanced dis-



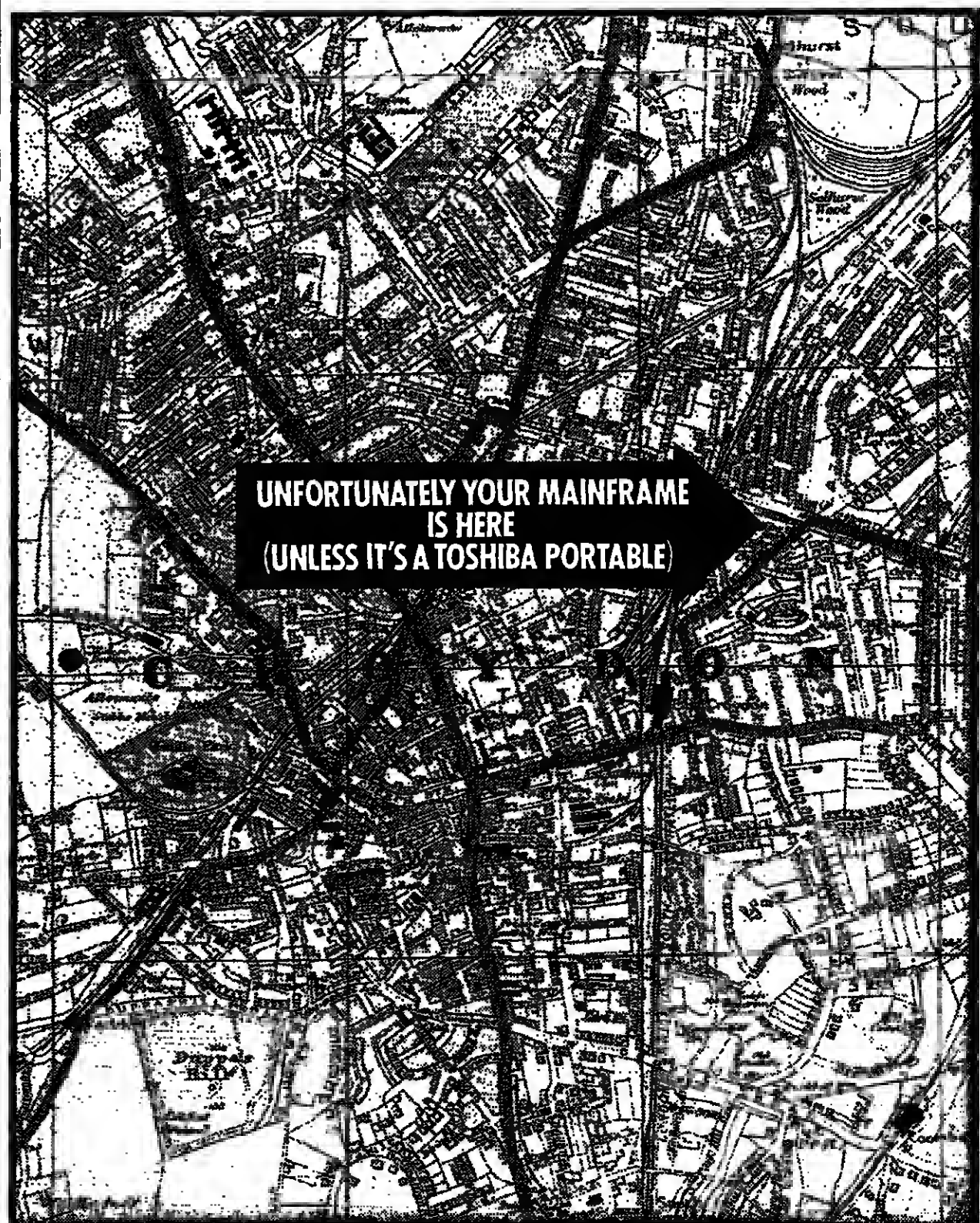
ease who had failed to respond to standard treatment with the Wellcome drug AZT.

The London trials are designed to compare the efficacy of DDI when used in isolation, or in combination with AZT. It is possible that the use of more than one drug simultaneously, combination therapy, will prove as useful in the treatment of Aids as it has in the treatment of malignant disease. Although drug therapy cannot as yet cure Aids it slows the course of the disease and patients are undoubtedly living longer.

Experience at the Ambrose King Centre has shown that early treatment of Aids-related opportunistic infections has resulted in patients not only having a longer life but a more active one. It is becoming increasingly apparent that as doctors can now influence the course of the disease, the earlier policy of discouraging widespread testing is detrimental to the individual patient as well as to the community.

## Danger from fast food

BEEF farmers have had a rough few years. No sooner has the alarm over BSE died down, the *BMJ* reports, than a new anxiety has crossed the Atlantic. A form of food poisoning, due to verocytotoxin, a toxin produced by some pathogenic strains of the gut organism *E. coli*, has been diagnosed in some recent British outbreaks. These strains of *E. coli*, often found in undercooked beef, often cause no more than an upset tummy but in children under five or the elderly diarrhoea can be followed by a syndrome of acute kidney failure, haemolytic anaemia, and thrombocytopenia (a bleeding tendency). In a recent outbreak in England affecting 24 patients who ate fast-food burgers, three developed the dangerous haemolytic-uraemic syndrome.



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# There is wonder here

Philip Howard on the young poet, something new out of Africa, who won the Booker with a fantasy that we are miracles God made

THE FAMISHED ROAD  
By Ben Okri  
Jonathan Cape, £13.99

The spirit-child is an unwilling adventurer into chaos and sunlight, into the dreams of the living and the dead. Then he finds himself in the Guildhall in the heart of the City of London after a lavish dinner one October, before an audience of 400 of the great and good literati, being told that he has been awarded the Booker Prize for fiction, and being grilled by the Cyclops eye of television, and barked at by the roosters and spaniels of the interviewing pack. So he wakes up with a bang, and does his stuff with dignity and charm, and drinks too much rice wine, and spent yesterday in bed with a terrible hangover, seeing none of his frequent petitioners.

Ben Okri is a true poet, and he has written a poetical magical fantasy about growing up in Nigeria. Middle-brow readers who like a strong narrative line and a good read, and dialogue that carries the story forward will find *The Famished Road* almost as hard to read as they did when Keri Hulme won the Booker with her prose poem about Maori myth and life, *The Bone People*, in 1985. Cynics grumble that the British literary scene is the last refuge of colonialism. We have exported our notion of a good Trollopean, Jane Austen read to the farthest corners of our old Empire, and now it comes back to haunt us with our literary prizes being won by Australians, Indians, South Africans, and now Nigerians, writing chatty little English novels in an exotic tone of voice. Meanwhile the highbrow novels of ideas and the intellect and philosophy that are written and read and that win the prizes among our oen partners on the mainland of Europe are unsaleable and unread over here. It is a bookseller's axiom (not entirely true) that French novels don't sell in Grande Bretagne. The alleged lack of novels of ideas on the shortlist was the reason that Nicolas Mosley gave for resigning as a judge of the Booker.

Not even a cynic would describe *The Famished Road* as a good read. It is a difficult read, a brilliant read, unlike anything you have ever read before. What does seem to be the bookish case is that there is a great taste both in the United Kingdom and in the United States for ovels written from a different culture and idiom of English, Hispanic and West Indian and African novels go big guns in the States. Salman Rushdie is, among other things, a great story-teller. He was educated at Rugby and Cambridge. He has lived and worked here for a long time, for the last thousand days forced to live as a hostage in his own country, under wretched sentence of death from a foreign government. But he tells his stories in a very Indian tone of voice. Five of the six novels oo



Ben Okri, winner of the Booker Prize, wakes up to a world where the ocean is full of songs, the sky is not an enemy

this year's Booker short-list were in this potent cross-cultural genre. The winner was a Nigerian Londoner, Timothy Mo is half Cantonese from Hong Kong, Mill Hill, and St John's, Oxford. Rohinton Mistry, with his enchanting first novel about Parsi *Wellschlaug*, was born in Bombay and emigrated to Toronto when he was 23. William Trevor is a wild goose professional exile from Ireland who lives in Devon. But his obsessions are all Irish. Roddy Doyle is a resident Dubliner, and My Jaisys *ycama forit it*. Read any page of the books of any of these fine writers of English unlabelled, and you can tell it was not written by an Englishman from the home country. The only Englishman, Martin Amis, tried to put us off the scent by writing backwards about a German-American. But he does not fool us. Fee, fie, fo, fum, we smell the prose of an Englishman.

There is a legend in southern Nigeria about the *abiku*, a child who continually dies and is continually

reborn to the grief of his parents. You can find the same legend in Wordsworth's "trailing clouds of glory", and Victorian gravestones for children, and come to that, Plato. This is the running theme of *The Famished Road*, as Azaro, the Nigerian spirit-child, resists his longing to return from the rigours of existence to the spirit world, where everything is so much better. He decides to stay, "to bring a smile upon the face of his mother". This takes place somewhere that feels like a shanty town on the outskirts of Lagos around 1960.

But the message is universal, as well as particular to Africa. There are wars and lorry accidents, burnings and riots. But there are also schools and palm-wine bars, police-stations and groves. Azaro's must-be-the-greatest father wins stupendous victories in the ring against ghosts. There are ghosts everywhere and lizards, spics and messengers from the dream world,

and symbols of transformation. Through all the tumult and exploitation and suffering of the slum-dwellers and black people ruos the road of our existence as transient passengers (or commuters) on planet Earth. But like the novel, the road does not run in a straight line. Each generation and individual must start again from scratch. There is a time to be born, and a time to die; a time to plant, and a time to pluck up that which is planted. Things that are not ready, not willing to be born or to become, things for which adequate preparations have not been made to sustain their momentous births, things that are not resolved, things bound up with failure and with fear of being, they all keep recurring, keep coming back, and in themselves partake of the spirit-child's condition.

They keep coming and going till their time is right. History itself fully demonstrates how things of the world partake of the condition of the spirit-child.

Victoria Glendinning tells Mailer to go and hit someone

On page 857 of Norman Mailer's new novel, the first-person narrator Harry Hubbard reads over his manuscript: "Had I read every page? I did not know that I had to." Your reviewer knew damn well that she had to, all the way to page 1,122 where Harry, confessing that he does not want his memoir ever to end, takes his leave with the words "to be continued". Unlike God, he says, he hasn't been able to present all of his creation.

Harry agrees with Hugh Montague, his godfather and CIA boss (code-name "Harlot"), that the evidence for evolution may be a complex system of disinformation calculated by God to conceal Himself. This novel may be a complex system of disinformation calculated to conceal Mailer. It is about the activities of the CIA in the 1950s and 60s, taking in Kennedy's election to the presidency, the attempts to hump off Castro, and the Bay of Pigs crisis. Just how Mailer knows so much about the Agency's operations, training programme, communications network and arcane private mythology, without being part of it, is a mystery.

It is a book about deception, perpetrated not only in order to confound the enemy outside — communism — but the enemy within. These CIA spooks distrust one another, spread false information and conceal what they know. Everyone, even the heroic Harlot (apparently based on real-life spook J. J. Angleton) is potentially a double agent. Harry our narrator, hand-reared and Yale-educated for the CIA by his godfather and his "charismatic" father, can effortlessly betray anyone, especially the people he loves.

Harry Hubbard is from patrician Wasp stock. His father, a close friend of CIA director Allen Dulles (Mailer names real names all the time), is the godlike sort of man whom bar-tenders rush to serve, who catches 788lb tuna off Key West, and who wears Savile Row tweeds with leather patches. This is not Mailer's usual reference group. "Social sorrow" — the path of social unacceptability — is identified in this book as "insufficiently recognised as one of the major passions". While Mailer does not endorse the attitudes of the privileged Hubbards, he is obsessed by them with an obsession not unlike love, as spies are by their opposite numbers.

Young Harry is initiated into the upper-class male mysteries by his father and godfather in a series of dangerous physical ordeals — skiing, rock-climbing — and when, running with his fit, bronzed father on Miami Beach, he realises they are at least equals as men, there is an embarrassing moment of masculine bonding involving macho arm-wrestling and mock-box-

## Social spooks in the system

HARLOT'S GHOST  
By Norman Mailer  
Michael Joseph, £13.99

ing: "God, we loved one another."

All this seems more from Mailer than ironic. The fascinated, rivalrous mutual admiration society of men locked in a clandestine closed system, over-estimating both themselves and each other, is a theme; there are parallels made between the CIA blue-bloods and the knights errant of medieval romance. The subtext of this vast book is a hopeless longing for a father, a godfather, a God — or an American — that can be trusted. But like all Mailer's messages it is scrambled in the interests of security, and he has missed a chance to write the book of his life.

Some sections are composed in a complex and lyrical prose ("Druid certainties left their flush then on my heart"). There are long, straight stretches of researched reporting and description — Maine, Virginia, Washington, Berlin,

Montevideo, Moscow. These are the best bits.

Some of the action is conveyed in extremely long private letters, full of direct speech and elaborate narrative and not in the least like real letters. Much of the rest consists of transcripts of telephone calls and bugged conversations, stiff with acronyms, cryptonyms, code-phrases, and ellipsis. To learn so costively what Frank Sinatra and Jack Kennedy liked to do in bed robs the information of its factitious thrill.

Later in life Harry marries the beautiful wife of his godfather; she is appositely working on a thesis about what she calls the alpha and omega of personality, loyalty and treachery. Naturally, he betrays her. Harry's sexual life is seen at uncomfortably close quarters. It's very sticky and hairy. Misogyny lies just under the surface of the expressed ecstasy. Homosexuality in its most degrading manifestations is graphically contemplated. Harry suspects that lust is a way of "releasing the tons of mediocrity within oneself". All in all, it's enough to convert one to vegetarianism.

Sex apart, there's not much violence — and "the dreary and open wound of verbosity", according to *Harlot's Ghost*, is "only staunch by violence". Mailer should know. He is the man who, in the period covered by this book, was a leftist dissident and a notorious drinker, wild-damper and brawler. Perhaps, for his writing's sake, he should go out and punch somebody.



Mailer, Iron Man of fiction, with scrambled message

## Mantraps of Irish heritage

This is the Cavan and Fermanagh border. The youth who has The Run of the Country finds it a place of wild liberty and casual brutality. Order and confinement come from a Garda police sergeant, who is his father and puts him in jail. On the boundary of fear and violence, this sensitive human beast breaks into a love affair with a girl named from a local

turns out to be the walls of an inflatable balloon. Filled with hot air from the steam engine, the aircraft waits the woman away from her three musketeers of offense.

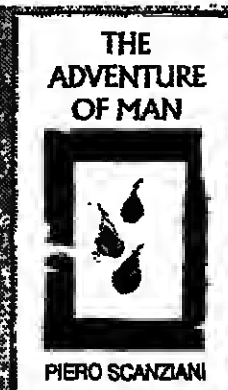
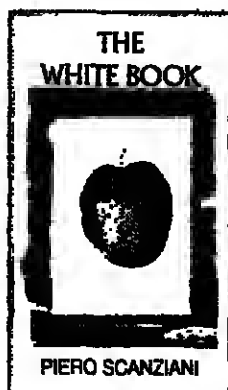
Always diverting, absolutely unsequential, John Fuller whistles away the time in *Look Twice* by sleight of pen and false mirror. For him, the illusion of all illusions is that there is a better world. As we

puts down his fellow time-travellers. "Characters," he says, "don't read other books." And indeed, there are too many characters in this book to read it. There is, however, the pleasure of seeing how many of them are recognisable. *Termination* is not the end of the text. It is a bibliophile's Trivial Pursuit.

ANDREW SINCLAIR

## WANTED

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Eureka Publishers, in association with *The European*, are delighted to announce a national competition to promote new writing talent in Britain.

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The best review will be printed in the newspaper and the winner will also receive the prize of one week's holiday for 2 in Italy, with 'The Magic of Italy'. The 50 best reviews will be published by Eureka in a special commemorative volume.

All entries will be judged by Derwent May, Literary Editor of *The European* and Martyn Goff, administrator of the Booker Prize. The closing date for entries is January 31st 1992. For a copy of the competition rules, write to Julia Klaja at Eureka Publishers, 8 High Street, Windsor, Berks SL4 1LD Tel: 0753 830188 Fax: 0753 855914

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THE EUROPEAN

### THE RUN OF THE COUNTRY

By Shane Connaughton

Hamish Hamilton, £14

LOOK TWICE

By John Fuller

Chanto & Windus, £13.99

TERMINATION

By Christine Brooke-Rose

Carcant, £12.95

Shane Connaughton knows his place and his people, who are bred in the bone and sinew of their land. Several scenes of cock fights alternate with black comedy and a painful awareness of the obstinacy of things. It seems a hell of a way to grow up. This is a bloody tale about a bloody area, but the occasional stabs of passion and understanding strike home like the bayonets stuck in the ground as goal-posts, when the Irish last plays football with the local police.

*Look Twice* is called an entertainment by John Fuller in the mode of Graham Greene, so that we do not confuse it with his serious work. And this is really entertaining about illusionists and Balkan intrigue. On a train leaving a revolution, four meo are put in a compartment — naturally, one is a woman wearing a moustache. It is suggested that they are in hell, defined as not having any desire to be anywhere. To pass the time, they tell the stories of their lives, which are enigmas and fantasies.

The train is stopped by bandits. They must escape. After all the paradoxes and puzzles and parables and pretty philosophies, they discover that a magic panorama

turns out to be the walls of an inflatable balloon. Filled with hot air from the steam engine, the aircraft waits the woman away from her three musketeers of offense.

Always diverting, absolutely unsequential, John Fuller whistles away the time in *Look Twice* by sleight of pen and false mirror. For him, the illusion of all illusions is that there is a better world. As we

don't have it, he creates one in which stage magic makes actual transformations. The final trick is the empty coffin, but that only produces a longer life.

*Termination* is literary history as Racing Democ. Christine Brooke-Rose shuffles her authors and their characters through time as if they were playing cards. The two Emmas, Woodhouse and Bovary, find themselves travelling with *Boule de Suif* and Augustin Mesaulle proud Clarriss Harlow. A cast of thousands is contained in hundreds of parodies conversing in dozens of paragraphs to reach no conclusions, only infinite suggestions. How do all the people we read about get along in the jumble sale of

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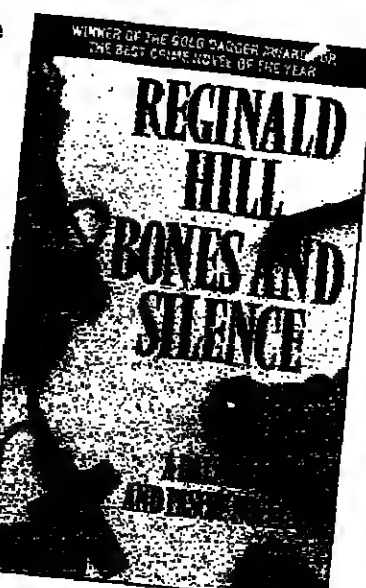
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## CINEMA: NEW RELEASES

# A conqueror loses his way in Hollywood

Geoff Brown reviews Kenneth Branagh's *Dead Again*, *Homicide*, *Boyz n the Hood*, *Flirting* and *Docteur Petiot*

He came, he filmed, he conquered. For two weeks, Kenneth Branagh's first American film as director, *Dead Again* (15, Empire, Whiteleys), topped the nation's box office, before being supplanted in audiences' affections by the fifth spin-off from *A Nightmare on Elm Street*. For a lad from Belfast, with relatively little film experience, this is some achievement. Yet on law insists that popular success and quality film-making go hand in hand; on this occasion, Branagh has wooed the crowds with a monstrous preening peacock of a suspense thriller, strenuously styled after the Hollywood Forties-model.

Murder, amnesia, reincarnation, classical music: these vintage ingredients fill the script's labyrinth. Branagh, carrying a light American accent, portrays a fast-talking LA private detective. Under his wing, and into his heart, comes a speechless, pretty amnesiac (played with more blankness than necessary by his wife, Emma Thompson).

During hypnosis sessions with a key antiques dealer (Derek Jacobi), Thompson relives the past of a famous pianist, stabbed to death with scissors in the late Forties after a tempestuous marriage to German émigré composer Roman Strauss (Branagh again, carrying a light German accent and a beard). Strauss was hanged for her murder, but did he really do it? And what of the devoted housekeeper (Hanna Schygulla), or Andy Garcia's seedy reporter, or Robin Williams's deranged psychiatrist — all of whom seem to have strayed from three different films?

Branagh attacks this ooze-sense with the same fondness for pastiche and overkill that dragged down *Henry V*. After treading on Olivier's footsteps, Branagh now tries on Orson Welles's shoes. Angled shots, symbolic objects, slow-motion sports and scissors galore are hurled at our eyes: the film's brio may temporarily amuse, but the level of artifice soon becomes stifling. Among the

carnival of actors, Jacobi gets the best turn as the velvet-voiced antiques dealer, with Mr and Mrs Branagh, we are much too aware of the forced charm, and the dialect coach.

*Homicide* (15, Cannon Pantons Street, Screen on the Hill) boasts a much higher IQ. This is David Mamet's third venture as a writer-director. "The idea," he says, "was to do a police movie with some spiritual overtones"; the mixture may not gel, but forceful dialogue, direction and playing still make this a film to reckon with. Not for Mamet a camera with St Vitus's dance; he trains the lens tight on these New York cops, Joe Mantegna

Mantegna cannot make the transition slick. Stunted as drama, *Homicide* still offers a vivid portrait of our embittered urban hell.

*Mortal Thoughts* (15, Odeon West End) paints no rosier a picture. Joyce and Cynthia, two bosom buddies from a New Jersey beauty salon, battle through the days, carrying husbands like millstones. Joyce's spouse — a macho monster, portrayed with ease by Bruce Willis — finally gets his comeuppance: a slashed throat. Joyce and her friend find blood on their hands, and a police detective (Harvey Keitel) on their tail.

This is no bouncy spree like *Thelma & Louise*. No character is particularly sympathetic; when survival is at stake, these ladies in a jam — Demi Moore and Glenn Headly — soon ditch the rules of friendship.

Director Alan Rudolph puts his quirky skills to deft use, probing with a restless camera. Mark Isham's music supplies the cake's icing: thuds, rattles, a moaning chorus.

In its pursuit of imprisonment, grandiose despair, *Mortal Thoughts* pumps up the situations more than they can logically stand; given the hideous Willis's track record, would not a self-defence plea get the ladies off? Yet the acting is so alert, and the images so satisfying, that one readily goes along for the ride.

*Boyz n the Hood* (15, Cannon Haymarket, Whiteleys) has been making a noise ever since American screenings sparked gang violence. The director, John Singleton, is a 23-year-old hot-shot, with a Columbia contract under his belt. But those expecting a firebrand urban portrait are in for a disappointment. So many scenes trip themselves up with obvious plays for sentiment that Singleton seems to be Stanley Kramer reborn.

Like that veteran Hollywood liberal, Singleton shapes his film to carry a Big Message. The key to preventing urban delinquency is a stable family. Yet earnest sermons from dad (Larry Fishburne) cannot stop Cuba Gooding Jr getting sucked into the

moving and more physical than Noh theatre, Kyogen plays are performed without masks, but keep their elegant 14th century costumes and a strong feeling of farce. This Japanese-language production is in Cardiff on November 8 and 9, complete with simultaneous translation, and at London's Mermaid Theatre for a week starting on November 12.

**Last chance...** PROOF that you can't keep a good song down is Don McLean's 1972 "American Pie" which climbs to No 28 in the charts this week, earning it that all-important slot on tonight's *Top of the Pops*. The folk singer from New York has been touring Britain this month, as he has done regularly since the song first became a hit in 1972. He finishes this week with dates at the Pavilion, Bournemouth (0202 297297) tonight; and at Regent, Ipswich (0473 281480) tomorrow.

**Comic offerings** FALSTAFF becomes a fragrant sausage in the Japan Festival's next Shakespeare offering, when the Tokyo Globe-Mansaku Company presents a comic Kyogen version of *Falstaff*. Faster

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Closely examining past lives, and deaths: Kenneth Branagh (left), Derek Jacobi and Emma Thompson in Branagh's American directing debut, *Dead Again*

gang wars of south central Los Angeles — just when a college scholarship looms, too.

Singleton's script may crack, but he scores points for atmosphere. Circling helicopters, wailing sirens and distant gunfire clog these drab streets; you can almost smell the menacing air. As the neighbourhood boys of the title, Gooding Jr proves a bothersome presence (a prematurely furrowed brow does not help), but rap artist Ice Cube displays unexpected power as Doughboy.

The week's most agreeable film is *Flirting* (12, Cannons Chelsea, Piccadilly, Tottenham Court Road): a boarding-school tale of great charm and humour from Australian writer-director John Duigan. His hero hails from *The Year My Voice Broke*, a success in the late Eighties. Now the year is 1965: the sensitive spark is a fifth-former, devouring Camus, suffering hollies and conducting a shy romance with a Ugandan student.

After an avalanche of youth-movies from Hollywood, Duigan still finds fresh things to say about adolescence. The period helps: modern teen-

agers could never be as innocent as these pimply lads, worshippers at the altar of Ursula Andress. Duke Ellington's "The Mooche" seems strange accompaniment to a girls' dancing class, but Duigan gets most other details right: the lavatory joshing, the teacher obsessed with model planes, the class joker with wires on all teeth. Noah Taylor makes a sweet, gangling hero: as his flame, English-born Thandie Newton lights up the screen with youthful sensuality.

No space to do justice to *Docteur Petiot* (12, Everyman), a bizarre excavation of a notorious French murderer, who lured many Jews to a terrible end (poison, quicklime) with offers to help them escape the Nazi occupation. Christian de Chalonge's film never probes into Petiot's psychology; we must cope unaided with this perplexing character, scurrying like a vampire round a city of eternal gloom. Michel Serrault gives an extraordinary performance: madcap, hypnotic, deeply chilling. De Chalonge artfully meshes occupied Paris with the nightmare style of German Expressionism. Forget *Dead Again*: here is outlandish cinema with a sting.

## FUNDING

## King of the coffers

Clive Priestley, chairman of the new London Arts Board, wants to revitalise the capital. Simon Tait reports

London arts organisations are receiving their annual funds on which to bid for core subsidy this week. Instead of the nine booklets which were circulated last time, this one is a pragmatic six-pager with few words and a lot of white space for writing in.

The perceived loneliness of Greater London Arts was a large part of what made potential clients — such as the Royal Court, the London orchestras and the ICA — fight against being devolved from the Arts Council to GLA. However, with a new chairman at the head of the London Arts Board, which took over from GLA on October 1, clients are now getting the soft approach. Instead of crates of instruction manuals insisting on strict employment criteria and questioning the political correctness of arts companies, potential new clients are getting a discreet lunch, an after-hours drink, and an urban face familiar from private views and first nights.

The new chairman is Clive Priestley, a former civil servant who, as an under-secretary, became a Rayner scrutiniser in Mrs Thatcher's efficiency unit. Eight years ago he examined the books of the Royal Opera House and the Royal Shakespeare Company and found both grossly underfunded. The government was obliged to increase its subsidies, but only for a year.

He then left the corridors of power to become a freelance management consultant and a governor of the RSC, serving on its crucial finance and general purposes committee. He resigned over a question of general management policy and took the London Arts Board chairmanship in April on condition that a seat on the Arts Council went with it.

Rumour has it that he was the tenth choice; other potential candidates, such as Joan



Priestley believes London's vibrancy is undercelebrated

London fails to celebrate itself properly. "There is an unmistakable vibrancy about the place," he says, "a feeling of a great city at full stretch for its life and the lives of its natives." He intends to see that vibrancy celebrated in a series of arts festivals which will draw on all the artistic and business resources in London.

Priestley says the amount of subsidy and the way it is disbursed is highly unsatisfactory. "Artistic directors should not be wasting their time chasing sponsorship, not knowing from one year to the next what the subsidy is going to be," he states. "Neither should the theatres of the stature of the Almeida have to be saved from closure by a private donation [Lloyd Webber's £100,000]. Rather, the chairman would like to see all companies placed on a sound footing with realistic business plans based on realistic incomes.

His board, with Tim Mason, former director of the Scottish Arts Council, as its executive director, cannot be just another adornment for the visiting cards of the worthy, he says. "I want them to feel it is a pleasure to be a member, it has to be fun. If we sit there all po-faced we've failed." He also insists that board members be free of bureaucratic entanglements and political obstacles as they pursue the intellectual argument to ground.

"At our first meeting I said that I thought the watchwords should be 'chastity' and 'simplicity' and one member gathered up his papers and walked out. I'm glad to say he came to the next meeting."

ARTS REVIEWS  
Theatre, opera and dance  
Page 22

## "TWO OF THE BEST RÔLES EVER WRITTEN FOR ACTORS AT THE HEIGHT OF THEIR POWERS"

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"Derek Jacobi's mercurial Becket...GRIPS OUR IMAGINATION"

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"Jacobi is the MASTER OF ENIGMATIC EMOTION. He is the embodiment of profound intelligence. His casting, therefore, is almost PRE-ORDAINED IN ITS PERFECTION"

Daily Mail

"Lindsay's performance, a marvellously restless blend of POWER AND VULNERABILITY, RAGE AND SELF-MOCKERY"

Times

"Lindsay is A MOST EXTRAORDINARY ACTOR. He is possessed of A DANCING HUMOUR, A DARING INTUITION AND A DARING PRESENCE"

Daily Mail

By JEAN ANOUILH

"THEY ARE MESMERISING"

Daily Mail

"It is...a thoroughly well-written piece: WITTY, INTELLIGENT, full of repartee and irreverence"

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"BUOYANTLY REVIVED BY ELIJAH MOSHINSKY"

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## Last kerb curbed

Matthew Parris laments the triumph of the town planner

I was the *Daily Mail* which broke the news. Kirkbymoorside is to have double yellow lines. For decades a Yorkshire town has been the custodian of the town's freedom. The last time the town was under the last high street in Britain still free from those hateful symbols of municipal fascism has been the town's freedom. The town's freedom has been the town's freedom. The town's freedom has been the town's freedom.

No doubt there were arguments in favour, although half the townspeople signed a petition protesting. No doubt someone will write to the Editor with bloodcurdling facts about access for the emergency services. Town councillor Tom Clark has already warned the *Mail* that "vehicles have caused an obstruction". I have news for him. Town councillors have caused an obstruction.

"You can't have unrestricted parking in a town," advises Councillor Clark. I should greet his opinion with gladder heart if I felt confident that if asked to name 30 things one can have "unrestricted" in a town. Councillor Clark could comply, or if I had ever heard the word "unrestricted" used by anyone in local government as a term of commendation. Fledgling councillors should be marched to training camps where they would be forced to devise 100 new scenarios every day in which words like "deregulate", "free", "uncontrolled", "wild", "unlicensed" and "gratis" could be used in a wholly pleasurable context.

Besides, when I hear the phrase "emergency services" I reach for my revolver. We are becoming a nation ever more anxious to sacrifice everyday convenience for millennial unlikelyhood. Waving shrouds at their banners, the professional busybodies advance grimly upon every comfort known to man. Shrouds are on their side.

Remember the sportsman's tie-breaker, "sudden death"? Simultaneously and by gesture, two adversaries each choose a symbol: scissors, paper or rock. Scissors trump paper, paper trumps rock, rock trumps scissors. Well, to modern planners, shrouds trump everything. Shrouds can be trumped only by more shrouds. No level of accumulated national fury at indignities suffered in the name of safety, no figure — be it thousands of man-years — for total national delay, no mountain — be it ever so high — of heads banded, fingers jammed and shopping spilled while negotiating passages down corridors of new "fire doors", no measure for the sheer ugliness of hundreds of miles and thousands of tonnes of grey steel kerbside pedestrian barricades, no cost to our tranquility exacted by harsh fluorescent lighting through every hour of darkness in every public place... no bottom line, in any currency but death, can trump a single life lost through inattention to public safety.

And Councillor Clark would go further, you know. Should I suggest that nobody has been killed by Kirkbymoorside's lack of yellow lines, his response is easy: "Nobody yet. Must we wait until someone is killed before we take action?" Trump that. Someone must prove that double yellow lines kill you more, or our cause is lost.

Come, let us admit that it is lost already. In the 1979 Parliament I was proud to represent 700 square miles of Derbyshire with not a single parking meter or parking charge, and then to serve under a transport secretary — Nicholas Ridley — who held that the principle obstruction to traffic flow in London was traffic lights. But Derbyshire fell to the barbarians, and Kirkbymoorside stood alone.

It was only a matter of time. Motorists of Kirkbymoorside, I salute you.

The KGB is closing, but Mossad, French intelligence and the Cubans are busy as ever, writes Nigel West

## Business as usual for spies

Just days since the formal announcement that the KGB is to be disbanded, eight Soviet diplomats have been expelled from Norway. In the same week the heads of both security and intelligence agencies in Norway have been forced to resign, following an admission that they allowed Mossad personnel to interrogate Palestinian asylum-seekers in the presence of Norwegian officers who could not speak Arabic. I have raised in the Commons the case of the British journalist Nick Davies and his connections with Ari Ben-Menashe, a Mossad agent.

Earlier this summer, the authorities in New Zealand deported an unidentified Soviet arrested while engaged on classic illegal tradecraft, the construction of a false identity and background before moving on to his designated target country.

However unpalatable, the fact remains that most countries need and maintain an internal security apparatus and an external intelligence-gathering agency, the term "intelligence gathering" being a euphemism for spying. Whatever the implications of the disappearance of the Berlin Wall, it is business as usual in the spy world. Until the expulsion of the Schulze husband and wife team in February, there were more Soviet-trained illegals in British prisons than at any time since the exposure of Gordon Lonsdale and the Portland spies in 1962.

Good intelligence demonstrably can deter aggression. Intelligence gathered in Baghdad in 1966 led to deployment of sufficient forces to Kuwait and prevented an attack planned by Iraq; similarly, intelligence from Buenos Aires and deployment of forces to the Falklands prevented an Argentine invasion in 1977. But in 1982 and 1990, in almost identical circumstances, assaults were launched without counter-measures being taken in time, either because the necessary contacts had not been cultivated, or because the danger signals had been interpreted incorrectly.

In December 1941, six years before the creation of the CIA, the United States learned the painful consequences of having no central mechanism for the acquisition, collation and dissemination of intelligence. In the months following Pearl Harbor, Congress discovered that there had been plenty of signs to indicate an imminent Japanese raid on the American fleet's main anchorage in the Pacific. Quite how detailed and specific the clues were remains a matter of bitter controversy to this day.

The conclusion of the Cold War has allowed Western intelligence agencies an opportunity to review their priorities, and a British cabinet committee has reportedly been considering the options open to the security service (MI5) and the secret intelligence service (MI6) in the new global order. Should the two rival services, originally separated in 1909, be merged into a single unit? Or might the highly skilled surveillance teams, with their sophisticated techniques acquired over four decades of monitoring the activities of their Eastern bloc counterparts, be redeployed against professional criminals, smugglers and drug barons?

Similar challenges are preoccupying MI6's overseas allies. In France, the notorious DGSE, which had developed an unenviable reputation long before its sabotage of the *Rainbow Warrior* in New Zealand in July 1985, has more recently engaged in industrial espionage. French businessmen, often themselves part of the DGSE's elite corps of "honourable correspondents", have been granted invaluable aid when dealing with competitors for lucrative foreign contracts.

In one incident, the Indian government expelled the local DGSE representative, who was masquerading as a military attaché at the embassy, soon after he

had briefed French weapons salesmen of the sealed bids to be submitted by German, Swedish and British rivals.

While the French DGSE has turned commercial and the Federal German *Bundesnachrichtendienst* has embarked on what promises to be a lengthy and rewarding molehunting trawl through the East German archives, other services are coming to terms with the dramatic changes that have transformed most of the Warsaw Pact satellite countries into enthusiastic supporters of NATO policy.

Embarrassing disclosures in Belgium, Sweden, Italy and even Switzerland have revealed the clandestine co-operation that was the basis of a paramilitary network of anti-communist resistance groups trained in covert guerrilla tactics to barry a Soviet invasion. In retrospect these preparations appear ludicrously inept, and today the culture and

conditions that fostered these arcane arrangements have been swept away, probably forever. In their place are mutual assistance projects such as "Kilowatt", the EC's confidential anti-terrorist exchange programme, which includes Canada and Israel among its members.

Small countries such as Israel and Cuba, surrounded by hostile neighbours, place a high value on good intelligence, to which, in part, they attribute their survival. Despite the near catastrophic lapse in 1973, when Mossad failed to predict the Yom Kippur offensive, the Israelis hold the intelligence profession in high esteem, and are not averse to mounting operations in ostensibly friendly countries. Mossad personnel in both Washington and London have been expelled for complicity in espionage cases.

Fortunately for spy writers, sex and espionage will continue as growth industries whatever the changes in superpower politics. Rupert Allason, writing as Nigel West, is the author of *Seven Spies who Changed the World* (Secker & Warburg, £16.99).

Those who pulled wool over their eyes must face up to the Gulag, says Bernard Levin

As I moved to turn the page, a name leapt out at me from the column nicknamed "Nibs" (News in Brief), the whole item consisted of only 10 lines. But the story it brought to my mind was anything but short, and indeed for the central figure in it there is good reason to believe that it felt quite exceptionally long. His name is Balys Gajauskas, and he figured in the tiny news item only because, as a member of the free Lithuanian parliament, he was doing a celebratory office: he was in Vilnius (the Lithuanian capital) to formally close down the headquarters of the Lithuanian KGB. So why was the honour of shutting the doors of evil given to Balys Gajauskas? Because he had already had a very different honour: he holds the record for the length of time spent in the concentration camps of the Soviet Union's Gulag: 35 years.

The charge-sheets (his time in the Gulag was of two stints — one of 25 years, the other of 10) are interesting. The first stretch began in 1948, when he took part in the Lithuanian resistance to the absorption of his country in the Soviet Union; the second was for "planning to translate Solzhenitsyn's *The Gulag Archipelago*". Before his first 25-year incarceration there was no trial, not even a fake one: there were court-room proceedings for his second bout, but they were so ludicrous that the KGB-appointed "defence" lawyer actually argued that the charge had not been proved and that anyway Gajauskas had been prosecuted under the wrong law, whereupon the prosecutor asked for seven years and the judge made it ten.

Now let Balys Gajauskas speak in his own words:

The Soviet leaders speak of peace today. But the concentration camps represent a no less threat to mankind than war; peace will remain impossible as long as we continue living in fear and slavery. My trial in Vilnius is an example of how one purposely destroys a man who reads books. Such a trial belongs to the list of the trials of the Inquisition... My crime consists of having thought independently and having valued democracy more highly than communist dogmas. I committed a crime, because I wanted to make use of all the fruits of the human mind, and not only those that are officially allowed. Now, as I and my friends proceed on the road of trials and tribulations, I still have the flame of hope and liberty before my eyes... separated as we are for long years from near ones and relatives, condemned as we are to a humiliating death, even here we remain faithful to the ideas of democracy and liberty.

As he served all of his first term, so he served all of the second — the last two years of it under Gorbachev. And now, at last, the whirlwind of time brings in his revenge. We can afford to thrill at the oaths of communism's death-throes; a man who has spent seven-ninths of his adult life in concentration camps would probably say more than "I told you so". And among the other things he would say must be "How do we ensure that nothing like that will ever happen again?"

To answer that question we must, obviously, ask why it happened in the first place, and it will certainly not be enough to say that ruthless men who seek power will do anything to get it and hold on to it. That is true, but it falls far short of an explanation of the Soviet Union, if only because all over the world there were people, many millions of them, who lived

in no fear of punishment for failing to admire the Soviet Union, but who believed that terrible tyranny was heavenly liberty, and that the best way to persuade a man to love his rulers was to murder him. The question can be asked briefly and without ambiguity: why did millions metaphorically cheer (and some not at all metaphorically) when Balys Gajauskas went to the Gulag for 25 years, and four years after those 25 years went back again for another 10?

We could ask them, of course, but for the moment they are keeping quite refreshingly silent; even Professor Hobbsbawm has shut up to it. That is true, but it is not the ring-leaders — though they are the most culpable, of course — but the followers who hold the key.

Muggeridge's *Morise Encomium* can stand another outing:

Wise old Shaw, high-minded old Barbusse, the venerable Webbs, Gide the pure in heart and Picasso the impure, down to poor little teachers, crazed clergymen and millionaires, driving dons and very special correspondents like Duranti, all resolved, come what might, to believe anything, however preposterous, to overlook anything, however villainous, to approve anything, however obscurantist and brutally authoritarian, in order to be able to preserve intact the confident expectation that one of the most thorough-going, ruthless and bloody tyrannies ever to exist on earth could be relied on to champion human freedom, brotherhood of man, and all the other good liberal causes to which they had dedicated their lives.

Until the late Forties it was just possible to be honest and still believe, but — in Anthony Hartley's now famous phrase — anyone

who still pretended to believe after the 1948 seizure of Czechoslovakia and the murder of Masaryk "had failed as a human being".

To some extent, of course, the hope was a noble one: a land, and a system, where man does not oppress man, where all contribute and all receive, where the harsh struggle for existence is unknown, where a benevolent father-figure rules as a benevolent father. Who has never yearned for such an earthly paradise? But yearning must take second place to reality, and the reality was hell.

Those who proclaimed that black was white, up down, rain dry, blood beer, cannot rebut the charge by saying "we were deceived". Almost without exception, they were not deceived; they knew the truth and told the lies. That was wicked enough in itself, but remember that the lies were a betrayal of those in the Soviet Empire who were being imprisoned, tortured, murdered to gain a tiny part of the freedom the liars enjoyed. Was that not a thousandfold more wicked?

Put out thy trust in prices. But all around us, those who have at last admitted that the Soviet Empire was not paradise (there are still some who have not yet admitted even that much), have for years been seeking and finding new, pristine Cuba, Vietnam, Nicaragua, even — still — China. I wouldn't bet a penny against the chance that there is somewhere in this country a society labouring to spread the knowledge of the admirable character and policies of Colonel Mengistu.

When will it stop? When will the world recognise evil and call it by its name even if it cannot be excoriated? What is to happen before the gullible become shrewd, the blind sighted, the fool-wisest? For we are not discussing why tyrants tyrannise, but why they are admired and applauded for doing so.

Perhaps there is no answer, and we sail a sea that will never bring us to harbour. If so, we must fly from the topmast a line from *Measure for Measure*: "Tis one thing to be tempted, Escalus, another one to fall."

...and moreover  
CRAIG BROWN

When Ben Okri was making his speech accepting this year's Booker Prize, my heart was alive with good wishes for him. He seemed modest, likeable, passionate and — among writers — he took the trouble to express admiration for his fellow shortlistees.

So why, the next morning, as I write this, do I find that I have gone off the very idea of Ben Okri? I put it all down to a single detail, not mentioned on television last night, but there for all to see in Philip Howard's front page report in *The Times*. "Ben Okri", begins his sixth paragraph, "was born in 1959..."

1959? 1959? Floundering oneself older than policemen is a well-known shock to one's system — so well known, in fact, that when it happens it hardly shocks at all — but no one had thought to warn me that I would ever find myself older than the winner of the Booker Prize.

I was born in 1957, a date I have always regarded as remarkably recent, a mere 18-or-so years ago. Until now, it has been common knowledge that Martin Amis is easily the youngest novelist in the world, and he was born way back in 1949. I had long imagined that this meant that the youngest novelist in the world would always be a good eight years older than me. Over the years, this has proved strangely reassuring, letting me struggle through life without any fear of wasting time, always allowing me eight years to get going. And now this!

There have, I suppose, been small portents of last night's catastrophe. Not long ago, I saw a list of the inventions and innovations that took place in the year of my birth. I noticed with relief that it did not include the wheel or the overcoat, but it did include the pacemaker, the first dog in space, the satellite and the cooties lens, all of which now seem commonplace. Another oddity is that now when I notice the ages of people I have long thought of as far, far older than me — Princess Anne, for instance, or Mark Thatcher — I realise that they have somehow grown within spitting distance, that we are all part of the same generation, give or take the odd year or two.

Conversely, when I talk to people I used to regard as roughly my own age — 23 or so — I am horrified when they look blank at what I imagine to be shared points of reference. "What do you mean, who is Valerie Singleton?" I say angrily. "How can you possibly not remember Alf Tupper, the Tough of the Tracks? He was in *Victor* every week! And what do you mean, who is Victor?"

It was only a few years ago that I began to realise, through a close reading of the newspapers, that people of my own age could become bank managers, give their occupations as "company director", write leading articles on economic matters, and appear on *Question Time*. Not only could they vote, but they could vote Conservative, and not only

could they vote Conservative but they could become Conservative MPs and then, five years later, former Conservative MPs. It seems only yesterday that I noticed that professional footballers and boxers were the same age as me. Now, every few months, these same sportsmen are announcing their retirements, often — a double blow, this — to become "company directors". To be honest, I am only beginning to come to terms with the idea that should I be convicted of armed robbery or mass-murder, the judge will not take my age into account and let me off with a severe wiggling.

Of late, my definition of middle age had become rather more fluid. I remember as a teenager arguing fiercely that middle age started some time in one's late twenties. In my late twenties, it had moved to one's late thirties. These days, I am a great believer in the "you're as young as you feel" school, and, before this morning, I certainly wasn't expecting to reach middle age until well into the next century, or, with luck, the next century after that.

And now Ben Okri has come along and ruined it all. From being a teenager, Martin Amis has suddenly become 42, the same age as Kingsley Amis used to be when he was 42. Last night, a television documentary on Sir Angus Wilson said that he had started writing late in life, at the age of 34. Late in life? I'm afraid Ben Okri already has a lot to answer for.

Letting them in

AS immigration re-emerges as a political issue, Jean-Marie Le Pen, leader of the French National Front, is preparing for a controversial three-day trip to Britain. An itinerary is still being drawn up, but the former French presidential candidate is expected to go to some of Britain's most racially sensitive inner-city areas, such as London's East End.

A spokesman for Le Pen says: "It is his first trip to Britain. He wants to set out his own political agenda, and how he thinks it affects Britain. There are very important issues to discuss." Le Pen is planning a press conference and a series of television interviews. Le Pen was invited by Sir Alfred Sherman to address a fringe meeting of the Tory party conference in 1987, to the embarrassment of the Tory high command. Norman Tebbit, then party chairman, urged him to stay away, and eventually Le Pen cancelled, because, he said, he did not want to embarrass Mrs Thatcher.

Sir Alfred says he is pleased that Le Pen is finally coming. "He should go to the inner cities and be heard. I don't see why it should create any more tension, unless left-wingers try to deny him freedom of speech. Le Pen was right when he opposed mass immigration of Africans and Arabs to France. Now even the socialists are agreeing with him."

After Kenneth Baker's prediction at the Tory conference that immigration would be one of the "major political issues" of the '90s, Tory circles are bound to be uneasy about the presence of the man who described the Nazi gas chambers as "a detail of history". Lord Bethell, the Tory Euro-MP, says: "If he starts making



rabble-rousing speeches in Trafalgar Square there could be trouble. But he is an elected member of the European parliament, and while we may not welcome him, we cannot prevent his visit. But I don't think television editors should interview a man who stirs up racial hatred." John Taylor, the black Tory candidate in Cheltenham, is less cautious. "He should stay out. We don't want him here. He has nothing constructive to say. His visit can only be counter-productive."

Newcastle police, under strain from the recent public order disturbances, have set up a stress and counselling service for officers according to today's *You and Yours* programme on Radio 4. There is only one problem. The counsellor is on sick leave with a stress-related illness.

Gentle persuasion

THE so-called gentle sex is not so gentle in pubs, it seems. Whitbread brewery is now employing psychologists to advise its pub managers on how to deal with aggressive customers — including women brawling among themselves. The brewery's survey of pub violence over the past four years has shown that more and more fights are between women. Four years ago, only 16 per cent of

incidents in pubs were woman against woman, but now the figure is 20 per cent.

It would be a mistake, however, to assume that women everywhere are sharpening their nails ready for battle over a pint. "This has to be seen in context. We have had far more women customers over the last few years." Whitbread explains. The psychologists have proved so successful in helping landlords to deal with customers who are in a "high state of arousal" that incidents are down by one third over all.



Ars longeur

ANGER in the art world. Richard Winger, a former head of the Office of Arts and Libraries, has written a report advocating a transfer from the Museum and Galleries Commission to the arts minister of administration of the scheme under which inheritance taxes can be paid in kind with works of art.

But Tim Renton will have a fight on if he accepts the proposals. Many fear the proposals could be disastrous for the retention of major works of art, because of the delays associated with the civil service.

Dr John Hayes, director of the National Portrait Gallery, is also dismayed. "Why alter a system

that is working perfectly?" he says. "The Commission has excellent hard-working officials operating the system smoothly and fairly to both the owners of works of art and the government, especially as far as the minifield of valuations is concerned. Why change?"

Pre-booked

ALTHOUGH an expectant hush fell over Bodod's Guildhall on Tuesday night as Jeremy Tregrown rose to announce the winner of the Booker Prize, most of the finalists had already worked out who had won.

As guests gathered at the reception before the dinner, an agitated Timothy Mo strode up to Ben Okri and shook his hand. "Congratulations Ben, you've done it," Mo said.

"How do you know, Timothy?" asked Okri. "There's been no announcement." But Mo persisted: "As the photographers took my picture they were told by one of the organisers not to make it look so obvious that I haven't won, and you have."

Okri had already had an inkling of his success as a cluster of photographers gathered around him, virtually ignoring the five other finalists. When a distinctly glum-looking Martin Amis slipped in just before dinner, only one or two photographers bothered with a cursory snap.

When the critics have finished panning Kenneth Brannagh's new film, *Dead Again*, which opens in London tomorrow, what would they make of one of his less well known cinematic offerings. Brannagh is filming the *Mrs. Clara Short, Margorie Mowman, William Hague, Tony Blair, Simon Burns and Lady Blackstone* making something of a splash in the parliamentary Speedo Charity Swim next month.

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## AN UNACCEPTABLE RISK

The United Nations mission in Cambodia, formally triggered by the signing of the peace settlement in Paris yesterday, has been repeatedly described as the first serious test of President Bush's "new order". The stability of a whole region hinges on it. The five permanent members of the UN Security Council jointly insist that this post cold war experiment in UN peacemaking cannot be allowed to go wrong. That must imply no second chance for the Khmer Rouge to reimpose their singularly murderous form of totalitarianism. Western, and Soviet, prestige is on the line. Yet the immediate prospect is of a dangerous vacuum before the UN arrives in sufficient force.

The plan brokered by the five could not be more ambitious. Under it Prince Norodom Sihanouk, the former ruler, will return to head a Supreme National Council which includes the Pnomh Penh regime and all three resistance groups including the Khmer Rouge. That is intended to "embody Cambodian sovereignty" while UNTAC, the UN Transitional Authority for Cambodia, takes effective charge.

The UN is being asked to demobilise and disarm the combatants, start repairs to the shattered infrastructure, provide an interim administration, repatriate 340,000 refugees and prepare and supervise free elections, tentatively scheduled for March 1993. This transition from war to democratic peace must be managed in a country driven back to almost medieval conditions by the genocidal Khmer Rouge and 13 years of civil war, a country riddled with landmines, guerrilla armies and bandits, in treacherous tropical terrain with appalling communications.

The original estimate was that this would entail deploying around 10,000 UN civilians and as many or more UN military, costing from \$2.5 billion. The UN has had months to prepare. Yet the Security Council has so far agreed only to send a 268-strong advance team sometime next month — the number includes 75 local staff — with a mere 50 officers to "liaise" with government and resistance forces put at 150,000. The UN

will wait a further month or so for this team's reconnaissance reports before deciding on the eventual composition and scale of the full UNTAC force. The Security Council has not yet even approved UNTAC's creation, and its first units are not expected to be deployed in under 4½ months.

Set against some UN peacekeeping operations in the "bad old days", when the superpowers were at odds, this is absurdly slingshot. The first 8,000 troops arrived in the Congo in the 1960s within a week of the Security Council decision. It took 18 hours to deploy UN forces in the Middle East in 1973. Reconnaissance should have been done months ago, as soon as there was real hope of concluding the Cambodia agreement. The UN secretariat has a general plan, but has been waiting to discover where the money will come from. Almost none has been pledged and the budget is not due to be discussed until early 1992.

The excuses offered by diplomats for this leisurely timetable are that so great are the political pressures on all sides, so concentrated the limelight on the new Supreme National Council, that a small force may be able to hold the ring and secure co-operation between all factions. Good will should be given a chance. Should the task of reconciliation prove walnut-sized, why send a UN sledgehammer? Regional alignments, in addition, now favour peace. Neither China nor Vietnam has an interest in antagonising the West over Cambodia.

These are all risky assumptions. The Khmer Rouge are already seeking to dominate the Council and tried last week to frogmarch refugees from Thailand into areas they control. They have money and huge stockpiles of arms. When even the best-organised mission cannot be assured of success, this is no time for delay or half-measures. Cambodia has been a "killing field" for its people for too long. It must not be allowed to become the burial ground for the nascent "new world order". Money must be found and men sent not next year but now, while peace has its best chance.

## STRAITJACKET TEAM

The British public now knows what a Labour government would look like. That is the importance of yesterday's elections to the shadow cabinet. If Labour wins office, Neil Kinnock must, under party rules, find cabinet places for everyone elected to the shadow cabinet, even if he does not want them and they are not up to the job.

The inflation of the shadow cabinet from 12 to 18 since Labour last took office in March 1974 means that Mr Kinnock would have much less freedom of manoeuvre than had Harold Wilson, who could at least use the spare places to bring in other talented MPs. In October 1964, seven ministers from the Commons entered the cabinet who were not in the previous shadow cabinet, including Richard Crossman and Barbara Castle.

The requirement to appoint the whole shadow cabinet only applies to the formation of the first cabinet, so early reshuffles can be used to drop unwanted ministers. Portfolios held in opposition can be re-allocated, though that is little help when there is no choice of personnel.

A prime minister is strictly circumscribed. Under the Ministerial Salaries Act only 21 ministers excluding the Lord Chancellor can receive cabinet level pay. Twenty places are committed, including the leader, deputy leader and the 18 elected yesterday. So unless the leader of the Lords is prepared to take a minister of state's salary, Mr Kinnock cannot pick other MPs.

In addition, neither Martin O'Neill, the party's defence spokesman, nor Kevin McNamara, the Northern Ireland spokesman, was elected to the shadow cabinet. So unless one or both of those posts are given after the general election to those who were chosen yesterday, there is the ridiculous

possibility that a Labour defence or Northern Ireland secretary would not be full members of the cabinet. A reshuffle of these posts is the obvious solution, though Mr Kinnock is constrained by his pledge to give cabinet seats to a proposed ministry for women and a department for overseas development, now a wing of the Foreign Office.

Election to the shadow cabinet is little indication of ability to govern — a failing that compounds the closed shop that MPs, apart from a few peers, retain over ministerial appointments. Members are not elected on the basis of potential suitability as ministers. Votes reflect personal popularity, performance in the Commons and ideological position. At least three women have to be included, further distorting the process.

The team re-elected unchanged yesterday includes several who are a match for the government frontbench. But only two of the 20, Roy Hattersley and John Smith, have cabinet experience. Six others have been junior ministers or whips. The list includes some of proven ministerial ability. Others of promise are Gordon Brown, Tony Blair, Donald Dewar, Bryan Gould and Jack Straw. But some, such as Frank Dobson, John Prescott and Jo Richardson, do not look like potential cabinet timber.

Mr Kinnock must now go to the electorate admitting that his cabinet would not be one that he would necessarily have freely chosen, even though last night he predictably endorsed all in their current posts. He can try and circumvent the restrictions by fudging the status of some ministers, or put matters right with a quick reshuffle. Either way, Labour's current rules do not strengthen its case to be regarded as a plausible alternative government.

## DARK NIGHTS AT THE OPERA

The Royal Opera House has been forced to postpone tonight's premiere of Meyerbeer's *Les Huguenots*. On the celestial cloud reserved for musical dramatists, the ghost of Wagner (whose hatred of Meyerbeer was extreme) must be smiling. On the larger nimbus assigned to opera spirits, Meyerbeer himself might be penning a new opera, *Les Musiciens* or possibly *Jeremy the Diable*. "What does this fellow Isaac mean by spoiling my revival, when the musicians' only threat was to perform my *Huguenots* uncured, with four intervals?" Wagner's lip curls. "In our day it was the audience that often ruined premieres. Now it is the staff."

Jeremy Isaacs, Covent Garden's general director, had enjoyed an exceptionally good season until a pay dispute with his orchestra, backed by the Musicians' Union, led this week to the indefinite closure of the ROH. Beset by a self-incurred deficit of £1.7 million and the effects of the recession, Mr Isaacs offered his staff what in the circumstances might seem a recklessly generous 5.5 per cent pay rise (nn, not pay cut).

This was thought negotiable by everybody except the orchestra, who demanded 24 per cent over two years. This was rejected. The players first refused to wear formal dress, then threatened to disrupt the Meyerbeer and come late to rehearsals. They crowned this by claiming that the money they spend on instruments should be taken into account, though the ROH gives needier players loans for that purpose. Exasperated, Mr Isaacs shut up shop. Acas is mediating.

The management is taking a brave stand against unreasonable demands, but the odds are stacked against it. The dispute's cost, £300,000 a week, is appalling. Mr Isaacs

ought to be able to tell the orchestra: "If we give you what you ask, we will go bankrupt." But so great is the prestige of the Garden, for so long have Mr Isaacs and his predecessors said exactly the same to government, that nobody would believe him. Already the blame for the darkened stage is being laid at the door of government "underfunding".

Covent Garden, in common with most of the great opera houses of Europe and America, suffers all the evils of a union closed shop. A work-to-rule, never mind a strike, will intimidate most management. There are exceptions. The New York Met closed for a whole season. Mr Isaacs is in good company. He also runs a better opera house on his subsidy than wealthier rivals.

The ROH orchestra, like most others, is partly dependent on London's large pool of freelance musicians. In theory Mr Isaacs could sack the present orchestra and easily recruit another one. Unfortunately the Musicians' Union would almost certainly "black" such players and thus put their livelihoods at risk. This requires the sort of courage from management and artist alike that nobody in the London entertainment business has yet been ready to show.

Should Mr Isaacs stick firm and recruit another orchestra, he should receive full public and government support. The alternative is a Royal Opera House that sinks ever deeper into debt and has to plead with government and sponsors to bail it out. Or perhaps the planned closure for redevelopment in 1996 will offer Mr Isaacs the chance to renegotiate contracts, move into lucrative new areas using electronic media, and force the unions to adapt or wither away.

## Prison contracts out to tender

From Mr John Mortimer, QC, and Miss Frances Crook

Sir, The government is about to award the contract to manage the Wolds remand centre in Humberside to a private company — the first time in over a hundred years that a prison has been taken out of public control. Established in 1866, the Howard League recalls the abuse of prisoners and corruption endemic in the disparate systems of managing prisons in the 19th century.

It seems ironic that we entered the 20th century with general agreement that penal institutions had to become a publicly accountable service; and we are leaving the century reverting to selling off remand prisoners to people whose prime concern is the pursuit of profit.

The Howard League has conducted the only independent research into the immigration detention centres which have been commercially managed for some 20 years. We found them shrouded by excessive secrecy. There was no proper complaints system for detainees, staff were poorly trained, and indulged in crude racial stereotyping of detainees. The secrecy extended to all financial arrangements and costs.

It has now been reported (October 11) that Group A, the company responsible for running Harmondsworth detention centre, is likely to win the contract to manage the Wolds remand centre. Alternatively, it seems, the contract could be awarded to one of the American concerns who are making only modest profits from their US corrections facilities and want to extend to richer pickings.

Remand prisoners are a frightened and consequently volatile group of people. They know that nearly half of them will not get a custodial sentence when they get to court. The way to prevent suicides and riots is to keep as many people on bail as possible. The Howard League deplores the moves towards privatising the prison system. We believe it is both unprincipled and impractical.

Yours faithfully,  
JOHN MORTIMER  
(President-elect),  
FRANCES CROOK (Director),  
The Howard League for Penal Reform,  
708 Holloway Road, N19,  
October 18.

## Net book agreement

From Dr Francis Fishwick  
Sir, Mr Sutherland (letter, October 15) knows very well that his own 1965 article on the net book agreement did not end the controversy about it among economists. Some of your readers may be less aware of the widespread support for resale price maintenance, especially in the US economic journals.

If an individual producer believes that the fixing of a minimum resale price will encourage retailers to stock and display the product and support it with ancillary services, then why should he be denied the means of increasing sales? For some products, and many would argue that these include books, resale price maintenance is a competitive weapon. It may be more cost-effective than other means of guaranteeing market exposure, such as unlimited facility to return unsold stock, a feature of the US book trade.

The case against resale price maintenance is superficially very plausible — that competition must produce more efficient distribution. The reluctance of publishers to abandon the NBA indicates continuing belief that (in the words of the Restrictive Practices Court in October 1962) "books are different". More considered economic analysis confirms that this belief is generally correct.

Yours sincerely,  
F. FISHWICK (Reader in Managerial Economics),  
Cranfield School of Management,  
Cranfield Institute of Technology,  
Cranfield, Bedford,  
October 16.

## Once upon a time

From Mr A. V. Sabourin  
Sir, Charles Perrault may have "written" Sleeping Beauty, Cinderella, Puss-in-Boots and so on (letter, October 21), but whence came they to him? These are versions of more ancient folk tales, passed down orally from misty origins. Many came from east of Suez, their foundations detectable in "1,001 Nights". More recently, but predating Perrault, some appeared with Neapolitan flavour from the pen of Giambattista Basile (1575-1632).  
Sincerely,  
A. V. SABOURIN,  
Manor Cottage, Dowlish Wake,  
Ilminster, Somerset,  
October 21.

## Church investments

From Mr Colin M. Watkins  
Sir, It may well be true that bishops receive a total remuneration package of £50,000 per annum (letter, October 15). It is true that clergyman receive an average stipend of £12,500 per annum. However, a clergyman's total remuneration package lies somewhere between £18,000 and £20,000 per annum. Like most can be compared with like.

Yours faithfully,  
COLIN M. WATKINS,  
Old Stables, Quays Barns,  
Risby, Bury St Edmunds, Suffolk,  
October 16.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

### Parental choice and race relations

From Sir David Lane

Sir, Having seen examples of successful multiracial education in various parts of the country, I hope that it will not be set back by the outcome of the Cleveland case (report, October 19). The case concerned a mother's request for her five-year-old daughter to be transferred from a school where 60 per cent of the pupils were Asian to one where 98 per cent were white.

The prime minister has proclaimed his admirable goal of an equal-opportunity society in Britain. This will be easier to achieve, so far as race relations are concerned, if children grow up in regular and easy contact with contemporaries of different racial origins from an early age. Any tendency towards segregation in schools will make it harder. The Northern Ireland experience is a grim warning.

This is a difficult and delicate issue, with the Education Act and the Race Relations Act appearing to give conflicting signals. Irrespective of whether Mr Justice Macpherson's ruling stands or is reversed in a higher court, may I suggest that the

government should urgently review the wording of both Acts.

Yours truly,  
DAVID LANE  
(Chairman, Commission for Racial Equality 1977-82),  
5 Spinney Drive,  
Great Shelford, Cambridgeshire.

From Lady Maddocks  
Sir, Jenny Carney wished to remove her daughter from a school where the majority were Asian, because she was learning in Hindi; this is a language unlikely to be useful to her and her mother wished her to concentrate on English. This is surely not racial discrimination. What has been revealed is that in an English school some of the teaching is in Hindi. The majority of children are Asian, but they are British and living in England. Their parents presumably wish them to be taught in English in order to integrate sooner, if they do not, then they are not settling in Britain on the terms that we should be offering.

Yours faithfully,  
PATRICIA MADDOCKS,  
11 Lee Road,  
Aldeburgh, Suffolk.

### Lessons on choosing aircraft engines

From Sir Charles Hardie

Sir, Lord Caldecote (it should be remembered he was a director of British Aircraft Corporation at the time) complains (letter, October 17) about the cancellation in 1964 of part of the VC10 aircraft order by BOAC, under Sir Giles Guthrie, the then chairman. Sadly Sir Giles has since died, but as his deputy chairman, and later chairman (1969-70), may I please put the record straight.

Sir Giles was indeed a merchant banker, but as a former winner of the Portsmouth/Johannesburg air race, later as a pilot and airline manager, and a director since 1959 of British European Airways, he was devotedly knowledgeable of aircraft standards. He was a natural and very firm executive of great personal charm.

On appointment, on January 1, 1964, he was directed as chairman of BOAC to "act in its own commercial interest and if the national interest required some course non-compatible with that interest it should be entered into only at the express agreement of the minister". The rest is history. BOAC was put back on its feet — by Guthrie.

The lesson that should now be learned by British aircraft and other engineering manufacturers is that aircraft should be designed for world markets and not for the small British requirement whose particular routes and needs may not be in the world pattern.

Yours etc.,  
CHARLES HARDIE,  
25 New Street,  
Henley-on-Thames,  
Oxfordshire,  
October 21.

From Mr Geoffrey Knight

Sir, Neither Lord Caldecote nor Lord King (letter, October 18) have got things quite right. If we in British

### Costs and NHS

From the Director of the Carers National Association  
Sir, Professor Langton Hewer suggests (letter, October 16) that for the cost of a stair-lift a man who has had a stroke could be returned home to be "looked after by his partner". He is right that this would be a "cost-reducing innovation", but he fails to take account of the hidden costs for the partner.

Many of Britain's six million carers give up a paid job to take on the caring task; only about 2 per cent receive any compensating allowance in the form of the princely sum of £31 per week in invalid care allowance. Not only are they poor now, therefore, but they are building up poverty for the future through the loss of pensions and savings.

The majority of them also suffer in terms of their own health, receiving no help at all from statutory services; 58 per cent report some illness or injury as a direct result of caring. The isolation which being confined with a heavily dependent person entails takes a toll of the carers' own emotions, affecting other family relationships and often depriving them of any sense of their own value.

Carers take on these enormous responsibilities willingly, for rea-

sons of love or family obligation, but they need recognition, practical help, adequate benefits and some time off. The stair-lift is only part of the solution.

Yours truly,  
JILL PITKEATHLEY, Director,  
Carers National Association,  
29 Chiswick Mews, W2,  
October 16.

From Mr J. Saunders

Sir, There really is no need for the man referred to by Professor Langton Hewer to remain in hospital indefinitely at a cost to the health authority of £173 a day. If he does not wish, or need, to be in hospital and has a partner able and willing to look after him at home he should be taken there forthwith by ambulance. The social services and housing departments should be informed of the discharge and reminded of the man's need for a stair-lift if ground-floor accommodation cannot be provided within a reasonable time. Hospitals are under no obligation whatever to provide an alternative for other statutory services.

Yours faithfully,  
J. SAUNDERS  
(Administrator, Kirklees Area Health Authority, 1974-9),  
2 The Turnpike, Ely, Cambridgeshire,  
October 16.

### Nights at the opera

From Mr Michael D. Varcoe-Cocks  
Sir, Only one third, out of two thirds (Mrs Hubbard's letter, October 22) of the Royal Opera House seats are in the amphitheatre and slips and, of those, nearly 40 per cent have a restricted or semi-restricted view.

Mrs Hubbard claims that "Mooratracet-willing punters in their corporate boxes... form a very small part of the dedicated, nightly, audiences at Covent Garden", but — as an example — for each of the forthcoming *Marriage of Figaro* performances over 1,000 spectators will pay (or have paid for them) between £82 and £113.

The lucky few who obtain amphitheatre seats with a clear view of the stage will pay no less than £37.50.

Yours faithfully,  
M. D. VARCOE-COCKS,  
5 Brackenbury Road, W6,  
October 22.

Letters to the editor should carry a daytime telephone number. They may be sent to a fax number — (071 782 5046).

### National lottery and environment

From the Chairman of the Council for the Protection of Rural England

Sir, In the extensive public debate in recent months about the relative merits of a national lottery and the Foundation for Sport and the Arts set up by the pools promoters, one vital point has frequently been missed. The national lottery would benefit the environment as well as the arts and sport. The foundation does not.

This environmental dimension is fundamental in the wider basis of public support which I believe the lottery would have. From our beleaguered countryside with its crumbling stone walls, blocked footpaths and farmland under intense development pressure, to our messy canals and our drab areas of urban blight, the need for resources and action is plain.

More fundamentally, the search for more sustainable patterns of public policy and individual lifestyles is urgent, requiring a combination of experimentation, research, ideas, debate and education for which current levels of government and charitable support are clearly inadequate.

For example, the Department of the Environment currently spends about £21 million per year in support of voluntary organisations in all aspects of environmental work in city, town and countryside. Meanwhile, the competition for individual and company donations is becoming more intense.

Against this background a share for the environment of the £1 billion which a national lottery is predicted to be able to provide could make a substantial difference in many different organisations working towards a better quality of life and a sustainable future.

There is a single national umbrella body to speak up for the environment. It is all the more important, therefore, to remember that the benefit of the environment is central in the case for a broadly based national lottery scheme.

Yours faithfully,  
DAVID ASTOR, Chairman,  
Council for the Protection  
of Rural England,  
Warwick House,  
25 Buckingham Palace Road, SW1,  
October 16.

### Waiting for a heart

From Mrs Amelia Tansey

Sir, I have an eight-year-old grandson who is at present in the Royal Hospital for Sick Children in Edinburgh. He was born with a congenital heart complaint and he had an operation at five days old.

Last year he had a major operation to replace a valve in his heart and a few days later had to have a pacemaker fitted.

His parents were told in March that no more could be done for him at the hospital and that he would need a new heart. He was referred to Harfield Hospital, West London, where he was put on the transplant list.

Unfortunately his condition has deteriorated in the last two or three months. His parents have been told his chances are bleak because of the shortage of donors. I feel that if everyone carried a donor card my grandson and everyone else waiting and relying on the thoughtfulness of donor card carriers would have a better chance.

Yours truly,  
AMELIA TANSEY,  
7/16 Viewcraig Gardens,  
Edinburgh 8,  
October 23.

### Points of law

From Mr D. A. Clark, JP

Sir, How strange that at the time Lord MacKay was "berating" magistrates at the annual meeting of the Magistrates Association in London (report, October 21) I was listening to a rational dissertation on the provision of a "quality service" in magistrates' courts given by Lord MacKay at the annual meeting of the Magistrates Association in Birmingham.

Yours faithfully,  
D. A. CLARK (Head),  
Birmingham School of Chiropractic and Podiatric Medicine,  
Matthew Boulton College,  
Sherlock Street,  
Birmingham, West Midlands,  
October 21.

### Weighty issues

From Mr Stephen R. Lugg

Sir, Mr Halliday (letter, October 18) asks for examples of inappropriate units of sale. I have found that a comprehensive used van guide is essential when setting out to buy the winter firewood.

Logs in this part of the world are currently sold in "loads". There is the Mitsubishi at £30, the Toyota at £36, the Daihatsu at £40 and the old Imperial Bedford at £39.

Perhaps the Trading Standards Office should take advantage of a gap in the market and publish a *Firewood Buyers' Guide*.

Yours faithfully,  
STEPHEN R. LUGG,  
379 Stroud Road,  
Gloucester,  
October 18.

From Mr Nigel T. Neal  
Sir, Lawn food: dosage, ounces per square yard, contents of bag (when full), 18 litres.

Yours faithfully,  
NIGEL T. NEAL,  
7 King Street,  
Emsworth, Hampshire.

Business letters, page 27











## NEW RELEASES

**CHATTANOOGUE (16)** Gary Cramer in a Florida panel hell-hole. Gloomy drama that suffered post-production cuts. With Dennis Hopper, director, Mark Jackson. (Odeon Leicester Square 0426 915885)

**QTY SLICKERS (12)** Over-the-top sentimental comedy, with Billy Crystal and chameleoning mid-life crisis during a cattle trek. Starring Daniel Stern, Bruno Kirby, Helen Slater. Director, Ron Underwood. (Odeon Leicester Square 0426 915885)

**DEADLY PARTS 5 AND 6 (18)** A devastating analysis of a senseless murder, plus a voyeur's tale - two of the best from Krzysztof Kieslowski's Ten Commandments cycle. (Odeon Leicester Square 0426 915885)

**DOG HOLLWOOD (12)** L.A. bound actor Michael J. Fox becomes weird in the 1950s. Silly comedy whose charm quickly fades; a Hollywood debut for British director Michael Caine. (Odeon Leicester Square 0426 915885)

**EDWARD (16)** Riveting reworking of Marlowe's play by Derek Jarman; words and images leap out at the audience. Steven Waddington and Andrew Telford as star-crossed royal lovers. (The Pavilion 0426 915885)

**MANNEQUIN ON THE MOVE (PG)** Unhappy sequel to a 1987 comedy. Though William Baldwin shows his mettle as the hero who falls for a living doll (Kirsty Swanson). (Stewart Hall 0426 915885)

**BECKETT: Revolving performance** from Derek Jacobi and Robert Lindsay in Anouilh's play on the relationship between Henry II and the archbishop. (Theatre Royal, Haymarket, SW1 071 300 8000. Mon-Sat, 7.30pm, 10.15pm, Sat, 3pm, 10.15pm)

**A BRIGHT LIGHT SHINING:** David Ashton's excellent, first full-length play about a narrative Victorian romance in a Scottish village. (Wid, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 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2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 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2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 2681, 2682, 2683, 2684, 2685, 2686, 2687, 2688, 2689, 2690, 2691, 2692, 2693, 2694, 2695, 2696, 2697, 2698, 2699, 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716, 2717, 2718, 2719, 2720, 2721, 2722, 2723, 2724, 2725, 2726, 2727, 2728, 2729, 2730, 2731, 2732, 2733, 2734, 2735, 2736, 2737, 2738, 2739, 2740, 2741, 2742, 2743, 2744, 2745, 2746, 2747, 2748, 2749, 2750, 2751, 2752, 2753, 2754, 2755, 2756, 2757, 2758, 2759, 2760, 2761, 2762, 2763, 2764, 2765, 2766, 2767, 2768, 2769, 2770, 2771, 2772, 2773, 2774, 2775, 2776, 2777, 2778, 2779, 2780, 2781, 2782, 2783, 2784, 2785, 2786, 2787, 2788, 2789, 2790, 2791, 2792, 2793, 2794, 2795, 2796, 2797, 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808, 2809, 2810, 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 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# Britain faces another EC water purity prosecution

By MICHAEL MCCARTHY, ENVIRONMENT CORRESPONDENT

BRITAIN is facing a new prosecution over drinking water from Carlo Ripa di Meana, the European environment commissioner who infuriated the government last week when he asked for work on several high British road schemes to be halted, on the grounds that they were illegal because of inadequate environmental assessments.

Sig Ripa di Meana is now accusing the government of improperly allowing relaxation of the strictest EC drinking water directive to some of the water companies. News of the move, the second EC prosecution of Britain over drinking water in two years, will embarrass the government considerably at a moment when it is rebutting the commissioner's charges over road-building by insisting that it is one of the best observers of EC environmental law.

The fresh accusations were revealed last night by the Labour party, after a copy of the prosecution letter was leaked to Ann Taylor, the shadow minister for environmental protection. The letter showed, she said, that the government had granted the newly privatised water companies licences to pollute, adding: "As with its intervention over environmental impact assessments, the EC is being forced to step in to make the UK government face up to its environmental responsibilities."

David Trippier, the environment minister, accused Mrs Taylor of distortion, saying that the new move was "yet another example of the European Commission nit-picking about UK arrangements when it should be concentrating on enforcing EC legislation effectively and fairly across the whole community."

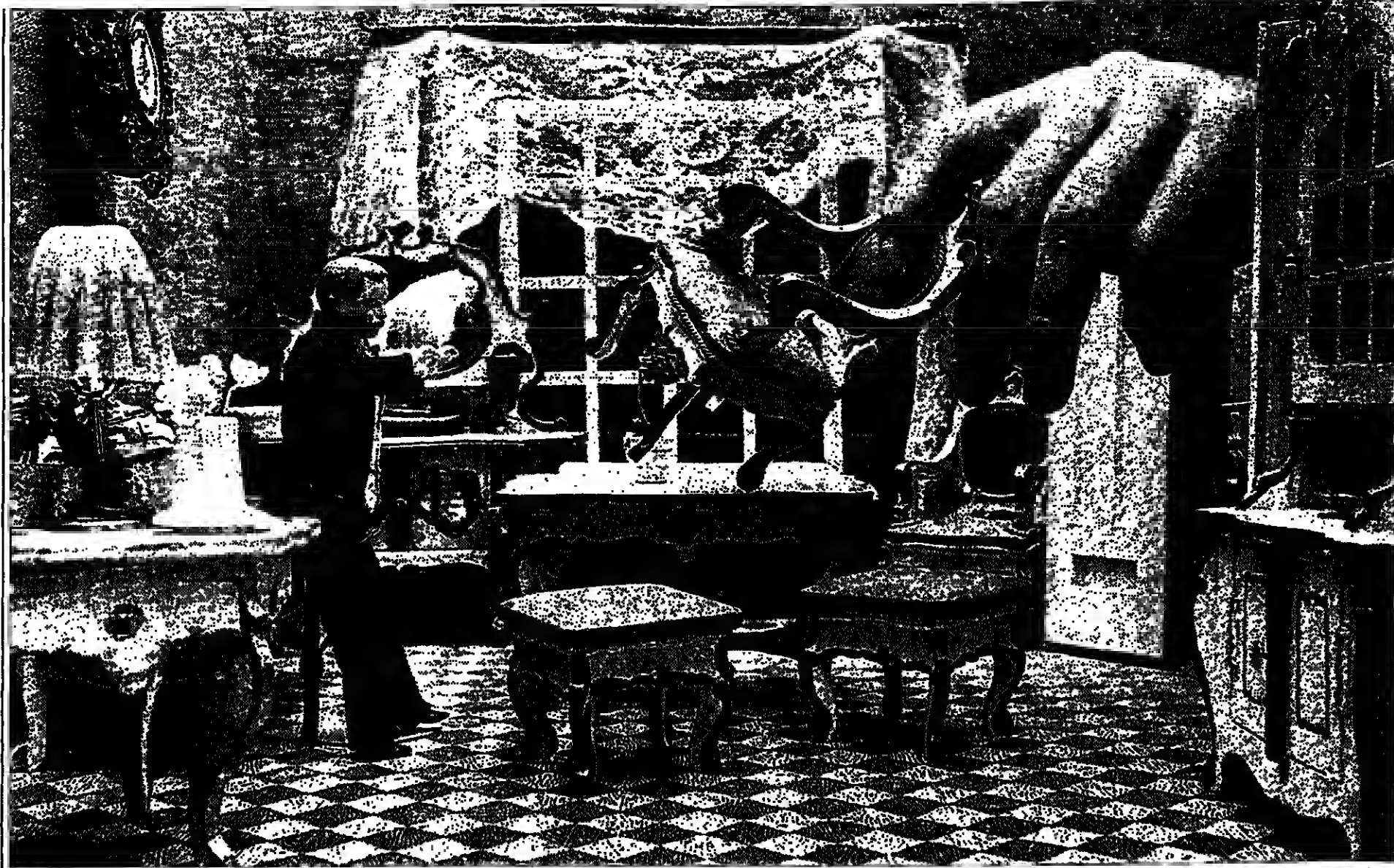
He added: "We believe the UK record compares very favourably with other member states. Our national standards are more stringent in some respects than those in the directive. Of 3.3 million tests carried out in 1990, 99% confirmed compliance with the statutory standards."

There is no doubt, however, that Sig Ripa di Meana's latest intervention will be most unwelcome to the govern-

ment, as besides rekindling the anger of the Conservative party's anti-European wing, it is beginning to give Labour enough ammunition to turn the government's green record in Europe into a party political issue.

To add to this, the first prosecution over drinking water, begun in 1989 over allegations of excessive lead and nitrates in some British water, has now run its long preliminary course and Britain will be in the dock of the European court some time next month.

At a London conference on water quality earlier yesterday, John Bell, chairman of Severn Trent Water, and of the Water Services Association which represents the ten recently privatised companies in England and Wales, robustly defended the quality of drinking water supplied by his members. He said that public fears about the quality of tap water had been "hypocritical to the point of absurdity."



Gentle touch: the hand of James Bigham, a porter at Christie's auction house in London, makes the final furniture adjustments to an exhibit from the Gamma Bache collection of dolls' houses which will be sold today. This house, including two open rooms, in which the dolls are five inches tall, is expected to fetch up to £1,000

## A prisoner's dream comes true

FROM IAN MURRAY IN WIESBADEN

TO KEEP up his spirits during the 4½ years he spent as a hostage in Lebanon, Jesse "Jon" Turner spent a great deal of time thinking about Joanne, the daughter he had never seen, and dreaming about meeting her.

Yesterday, his Lebanese-born wife, Badr, described the moment when his dreams came true and, for the first time, he held the little girl in his arms. She was dressed in a white dress with a red velvet top and scarlet ribbons in her long hair as she arrived excitedly at the American Air Force hospital for lunch with him.

"She came to him smoothly and held out her arms and said: 'Daddy', he said. 'Yes, sweetheart, and he held her.' Her husband gave Joanne a fair-haired doll which she promptly christened Sandra. Then he picked her up and examined her carefully, almost as though she were a doll herself.

Mrs Turner said that her husband had received a mes-

sage that he had a daughter only five months after she was born, although he had been told there was a baby there after her birth. After that, Mrs Turner said, he realised that he would be released and began planning how he would bring up his daughter.

She gave the news during a press conference called to describe her family reunion. She was so relieved and delighted at how well her husband looked that she wanted to tell the world about it. Joanne played happily with her doll and once waved and called "Hi" to the cameras, while her mother described her feelings during the first meeting.

"It was great. It was as if it was the first time we met him, and when we got married," there were no tears, only smiles, when they met, she said.

Somebody asked how her husband looked. "He is very good-looking," she said happily. Somebody else asked if there were going to be any

brothers and sisters for Joanne. "I didn't discuss this with him yet," she answered with a laugh.

Nor had she discussed whether he had been mistreated in captivity. "We will not talk about that," she said. She refused to answer questions about other hostages, including Alann Steen, who was held, like her husband, by Islamic Jihad for the Liberation of Palestine.

During the first meeting, over a traditional American Thanksgiving day dinner of turkey with cranberry sauce, the family had concentrated on all they had missed by being apart. Mrs Turner brought a collection of photographs showing Joanne at different ages, to help her husband to catch up. It was going to be a long holiday to tell him everything, however.

Estelle Ronneburg, the former hostage's mother, said her son was much fitter than she had expected after seeing television pictures of him immediately after his release on

Monday. "His voice sounded almost normal and he was standing up straight."

She had been particularly touched by the first meeting between Joanne and her son. "He was kind of gentle with her, and let her lead the way," she said. "They got along really well. Much faster than I thought."

Madrid talks strike, page 13

## Delors raises the stakes

Continued from page 1

reform of the treaty which would lead to common action," M Delors said. "There must be a will to defend the central interests of Europe. If there is no majority voting, then the same level of importance to matters on which British agreement is unlikely, Douglas Hurd recently described talk of majority voting on foreign policy as wasted breath. British officials say there is little chance of further progress towards reconciling opposed positions.

Eight countries support the federalist option of using majority voting. Britain has been backed by Ireland, Denmark and Portugal — but the Portuguese government has been hinting that it may switch to the majority.

British ministers argue that the present co-operation between governments has developed rapidly and effectively. Next year, they say, Britain would be prepared to provide diplomats to strengthen the Brussels secretariat which runs EC foreign policy. But that development would depend on the system remaining in the hands of governments

and not those of the EC's central institutions, and untouched by majority voting. One British source said: "We are prepared to see an extremely strong secretariat. But majority voting can land you in big trouble."

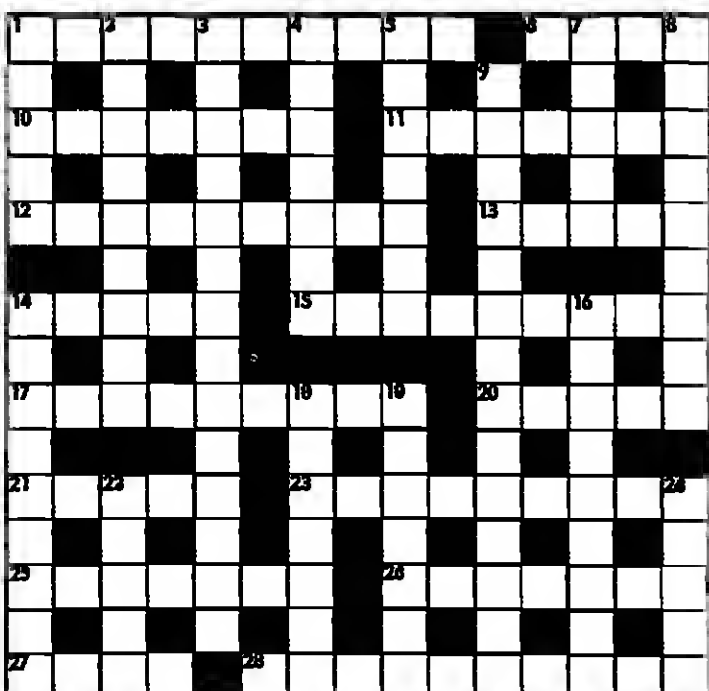
Pessimism has been spreading in Whitehall and Downing Street over the chances of concluding a treaty at Maastricht because the list of important, unresolved issues remains long and time is short. Three of the 12 months allotted for this year's negotiation were lost when the Dutch government, which holds the EC's rotating presidency, drafted a new and unpopular treaty which was thrown out of the treaty conference in Brussels. Treaty negotiators have returned to working on the framework of an earlier draft written by Luxembourg. But work is slow because governments disagree over that earlier text. "The governments wanted the Luxembourg text," one exasperated Dutch source said, "so we're forcing them to eat the Luxembourg text."

## TOMORROW IN THE TIMES

The longest wait British motorists driven to despair by parking problems should congratulate themselves they are not in Tokyo. Japan's capital is bursting at the seams with six million vehicles. Kevin Eason, *The Times* motoring correspondent, reports from Japan on solutions to the problem, and test drives the latest model from "the cleverest motor company in the world".

Backlash: First the Judge Thomas case, now a book that is forcing America to look even closer at its attitudes to women and their rights. Charles Bremner considers the impact of *Backlash: The Undeclared War Against American Women*.

## THE TIMES CROSSWORD PUZZLE NO 18,745



**ACROSS**

- At such a conference, nobody need feel cornered (5,5).
- Remaining united in African country (4).
- Starts playing three pianos I use in composition (5,2).
- English on Caribbean island cut pineapple (7).
- Bank worker's client (9).
- An attempt to embarrass a party (5).
- Small group round instrument (5).
- Cast and their production can constitute this (9).
- Eastern border guarded by safe boundary line (9).
- Vain attempt you take part in (5).
- As a result of careless driving it may need replacing (5).

Solution to Puzzle No 18,744

MATERIAL CELTIC  
STRENGTH TWILIGHT  
SOLUTION PLUM  
CHARTER ESPANADE  
MANKWOMAN SCION  
MAK LITAK R  
ISTRIA RECLIDE  
SU SORLI  
BARDASSOUND  
A E W ST A  
RELICIS NUTSHELL

**DOWN**

- Fleet Street holding a front page (5).
- Distilled a foreign upstart in part of London (9).
- Duke's part of military group? That's not true (14).
- Shuff put on roads to make snake stop (7).
- One left something with messenger heading East (7).
- A bad player's failure to score upset US city (5).
- Pottery expert takes in beginner at wheel (5).

**CONCISE CROSSWORD, page 21**

## WORD WATCHING

A daily safari through the language jungle. Which of the possible definitions are correct? By Philip Howard

**NASTY**  
a. A video horror film  
b. A narrow cradle for sows  
c. A military police woman sergeant

**PUNALUA**  
a. Pineapple rum punch  
b. A Hawaiian marriage song  
c. Group marriage

**FLANDERS**  
a. A male flirt  
b. Intestinal worms in hawks  
c. An elder sea

**CONTINUE**  
a. Line from the chin to the navel  
b. Space between stowed cases  
c. A mainbrace yard

Answers on page 22

## AA ROADWATCH

For the latest AA traffic and roadworks information, 24 hours a day, dial 0836 401 followed by the appropriate code.

**LONDON & SE**

C London (within N & S Circs)	731
M-ways/roads M4-M1	732
M-ways/roads M1-Dartford T	733
M-ways/roads Dartford T-M23	734
M-ways/roads M23-M4	735
M25 London Orbital only	736

**National**

National motorways	737
West Country	738
Wales	739
Midlands	740
East Angles	741
North-west England	742
North-east England	743
Scotland	744
Northern Ireland	745

AA Roadwatch is charged at 36p per minute (cheap rate) and 48p per minute at all other times.

## WEATHER

Overnight mist and fog patches could be slow to clear, leaving cloud in all regions, but with brighter spells, mostly to the lee of high ground. Light rain at times near eastern coasts of England and northern Scotland. Temperatures mostly below normal, winds mainly light. Outlook: southwest and southern England will slowly become warmer and, in places, brighter.

MIDDAY: b-thunder; d-dizzle; lg-fog; s-sun; a-sleet; w-winter; l-lair; p-cloud; m-moon

Area	Temp	Wind	Cloud	Temp	Wind	Cloud
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Alaska	10	10	10	10	10	10
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\* denotes figures are latest available

## FOREIGN EXCHANGE

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BUSINESS AND  
SCIENCE AND  
LAW REPORT 34  
FOCUS ROYAL A  
SPORT 36-40

Guarantee  
sought on  
Russian  
projects

Issue values  
JIB at £213m

Smiths steady

THE POUND

STOCK MARKET

MAJOR CHANG

INTEREST RAT

CURRENCIES

GOLD

NORTH SEA C

RETAIL PRICE



THURSDAY OCTOBER 24 1991

## Guarantee sought on Russian projects

Leaders of Britain's food industry have made an unprecedented call for the government to underwrite the cost of demonstration projects to modernise food production and distribution in the republics of the former Soviet Union.

In a meeting with John Major, members of an eight-strong mission, headed by Sir Ronald McIntosh, said they were unwilling to invest large sums without government undertakings.

They called for the government to underwrite investments against the impact of further political upheaval and negotiate assurances from authorities in Russia and elsewhere that they would be allowed to remit profits to Britain, if they wished.

Presenting the bill, page 27

## Issue values JIB at £213m

JIB Group, the world's eighth largest insurance broker, will be valued at £213 million when it comes to the market through a placing and offer for sale on November 7.

The 195p issue price puts the shares on a prospective rating of 14.4 times earnings compared with the 14.1 multiple at which Lowndes Lambert, another broker, came to market in July. A third of the shares in the company are up for sale with the rest being retained by Jardine Matheson Holdings.

Tempos, page 26  
Prospectus, pages 30, 31

## Smiths steady

Smiths Industries made pre-tax profits of £120.3 million (£120 million) in the year to August 3. The final dividend is 6.8p (6.3p), making 10.7p (9.9p).

Tempos, page 26

## THE POUND

US dollar 1.7070 (-0.0055)

German mark 2.9104 (+0.0043)

Exchange index 90.3 (same)

Bank of England official close (4pm)

## STOCK MARKET

FT 30 share 1966.1 (+2.7)

FT-SE 100 2561.1 (+1.6)

New York Dow Jones 3045.84 (+6.04)

Tokyo Nikkei Avege 24799.94 (-154.72)

## MAJOR CHANGES

RISES:  
De La Rue 456 1/2 (+110)  
Eurochem 300 (+80)  
Scottish TV 615 (+120)  
Thomson Corp 785 (+300)  
LASMO 338 (+140)  
Enterprise 277 1/2 (+140)  
Asprey Group 287 1/2 (+140)  
Rank Org 680 1/2 (+80)  
News Corp 615 (+80)  
THORN EM 792 1/2 (+80)  
Marlboro & Spencer 285 (+50)

FALLS:  
ASW 199 1/2 (-100)  
Molybdenum 104 1/2 (-80)  
Cable & Wireless 550 (-80)  
Lambert Horwath 270 (-100)  
Greyhound 135 (-150)  
Hammerhead 367 1/2 (-130)  
Securix 'A' 500 (-80)  
Persimmon 285 (-80)

Closing Prices...Page 29

## INTEREST RATES

London: Bank Base: 10 1/2%

3-month Interbank 10 1/2%-10 3/4%

3-month eligible bills 10 1/4%-10 1/2%

US: Prime Rate 8 1/2%

Federal Funds 5 1/4%

3-month Treasury Bills 5.04-5.02%

30-year bonds 100 1/2%-100 3/4%

## CURRENCIES

London: New York C \$1.7085

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## Asil Nadir faces claim for £378m

# Writs for £1bn issued by Polly administrators

By JON ASHWORTH

ADMINISTRATORS of Polly Peck International, the collapsed fresh fruit, hotels and electronics group, have launched a record £1 billion claim against seven defendants, including Asil Nadir, the former chairman.

Mr Nadir faces a claim for £378 million, issued in the High Court yesterday. Safiye Nadir, his mother, is being sued for £73 million allegedly received from Polly Peck.

The British assets of the central bank of the Turkish republic of northern Cyprus have been frozen. The court order refers to central bank accounts held in London at Midland Bank, Commercial Bank, American Express, National Westminster Bank and the collapsed Bank of Credit and Commerce International.

Injunctions freezing the assets of Mr Nadir, Mrs Nadir, Mentesh Aziz, a lawyer in northern Cyprus, and Industrial Bank of Kibris were also granted. However, the decision to injunct the central bank in northern Cyprus is likely to jeopardise the efforts of Polly Peck's two other administrators who are trying to unravel the company's assets in the region as part of a plan to reflate the company.

Together the writs amount to more than £1 billion, but once duplication has been taken into account, the net amount claimed is between £400 million and £500 million. Christopher Morris of Touche Ross, joint administrator to Polly Peck, said investigations were not yet complete and the amounts

could rise further. It is believed to be the first time a mareva injunction, used to freeze assets offshore, has been granted against a central bank. Mr Morris conceded that taking action against a foreign central bank could have political ramifications, but said the move had been made in the interests of creditors.

Mr Morris said the sum involved raised fresh hopes for shareholders as well as creditors. Until now, it had been widely predicted shareholders would not obtain a return from the administration.

The £378 million claim against Mr Nadir alleges that he used funds belonging to Polly Peck for illegal purposes. He is being sued for fraud, breach of trust and misfeasance as a director.

In addition to facing a claim for £73 million, it is alleged his mother wrongfully participated in and assisted the alleged frauds and breaches of duty by her son.

Mentesh Aziz faces a claim for £1.9 million. He also faces claims for damages and the return of shares in Leonard Fairclough (Hotels).

The claim against the central bank of northern Cyprus is for the return of £38.9 million. The writ alleges that the bank wrongfully and knowingly received funds with knowledge of the breaches of trust and fiduciary duty.

The Industrial Bank of Kibris, which is owned by Mr Nadir, is facing a claim for at least £141.7 million. A claim for £439 million has been made against Unipac Packaging Industries, Polly Peck's

packaging business based in northern Cyprus. A further writ has been issued against Impexbank - Turkish Lihlat ve Ithracat Bankasi alleging that it knowingly assisted in the dishonest designs of Mr Nadir and is liable to account to Polly Peck.

At present, no injunctions have been sought against either Impexbank or Unipac.

Mr Morris said investigations into the collapse of the Polly Peck empire had gone back five years. Co-operation by authorities in Northern Cyprus had been "minimal but not totally lacking".

The defendants are likely to appear in court in connection with the injunctions on October 29. Mr and Mrs Nadir and Mr Aziz have been granted £1,000 a week each to cover living expenses.

Last night, solicitors representing Mr Nadir said: "The proceedings commenced yesterday by the administrators of PPI are beyond belief. The action is based on misinformation, conjecture and speculation. It is to be regretted that the administrators have chosen to launch these misguided proceedings, which will serve only to divert essential resources to speculative litigation, rather than to the administrators' declared objective - restructuring PPI. These proceedings will be strenuously fought."

On Tuesday, Mr Nadir was charged with 58 more counts of theft worth £130 million, taking the total value of the charges against him to £155 million. He was further remanded on bail of £3.5 million until November 7.

## New CBI deputy named

By PHILIP BASSETT, INDUSTRIAL EDITOR

MARK Radcliffe, a director of TI, the engineering company, is to become a deputy director general of the Confederation of British Industry. It puts him in a strong position to take over from John Banham, the director general, next year.

Mr Banham's term of office has been extended until next October to take it beyond the next general election.

The other two deputies are Maurice Hunt, CBI council secretary, and Richard Price, responsible for EC, government and training affairs. Mr Radcliffe, aged 53, begins a one-year secondment from TI to the CBI next week and is giving up his TI directorship. He will also head the national manufacturing council that the confederation is setting up.

Since July last year, Mr Radcliffe has been TI's main board director responsible for investor relations, training and European development and public relations. He dismissed as "absolute rubbish" suggestions yesterday that he might take over from Mr Banham.

The search for a successor to Mr Banham is still on but if Mr Radcliffe does well in his secondment, CBI members believe he might be well

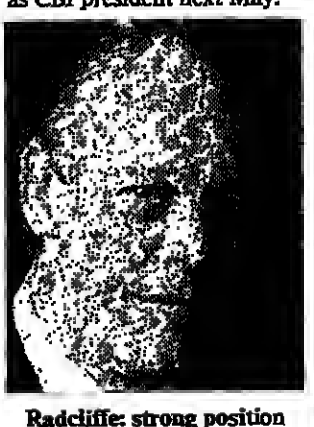
placed to take over the job. A former managing director of John Crane International and Triang Pedigree, he has long experience in the engineering industry. Some CBI members have been critical of Mr Banham for his relative lack of industrial background.

Mr Banham said of Mr Radcliffe's appointment: "We are delighted that TI has agreed to second someone of Mark Radcliffe's standing and experience."

Christopher Lewinton, TI chairman, also welcomed it. "Britain's future prosperity depends upon the redevelopment of a strong and competitive industrial manufacturing base," he said, "and I am delighted to support this new initiative, which I believe will prove to be a catalyst."

Sir Brian Corby is succeeded by Sir Michael Angus as CBI president next May.

Radcliffe: strong position



## Britain tops EC inflation-beaters

CONSUMER price index figures released by the European Commission yesterday confirm that Britain recorded the biggest fall in inflation among EC countries in the year to end-September (Tom Walker writes from Brussels).

While inflation also fell in eight other member states, rises were recorded in Germany, Ireland and The Netherlands.

The Dutch have faced an unexpected rise in petrol prices and a cut in housing subsidies, in the face of a growing budget deficit.

At six percentage points, Ireland's rise was negligible, while in Germany the high cost of unification was mainly to blame for any price increases. The rise is embarrassing for the Dutch government,

which in negotiations on economic and monetary union in the EC has pushed hard for inflation to be used as a qualification factor for any "two-speed" move to EMU.

With a drop of 10.9 per cent to 4.1 per cent, Britain led the fallers: Portugal was second, 13.7 per cent to 10.2 per cent; and Greece third, 21.8 per cent to 17.9 per cent.

Comment, page 27



After the suspension: Denis Thatcher, Attwoods' deputy chairman, at his flat yesterday

## Attwoods shares suspended

By MARTIN BARROW

SHARES in Attwoods were suspended at 175p after the waste disposal company, whose deputy chairman is Sir Denis Thatcher, deferred publication of its preliminary results yesterday.

There was intense speculation that Attwoods had been obliged to abort an £80 million rights issue after opposition from institutional shareholders alarmed by the company's falling share price and a large increase in borrowings this year.

Laidlaw, the Canadian group that holds 29 per cent of Attwoods, is understood to have initially agreed to subscribe for its full entitlement to new shares but put pressure on the company to review the terms of the rights issue after the lack of support became evident.

Laidlaw's advisers were in discussion with the Takeover Panel, seeking a special dispensation from making a full bid for Attwoods should its shareholding rise above 30 per

cent because of its support for a revised rights issue.

Attwoods is now understood to be ready with a £60 million rights issue, offering investors nine new shares for every 25 held at around 100p a share, compared with the original terms of one new share for every three held at 120p, which would have raised an additional £80 million.

Attwood shares rose to 259p

in April when the company initiated an American placing to raise £40 million. The placing fared poorly, attracting just £12.5 million in new investment but did not deter Attwoods from embarking on the £20.3 million acquisition of Ebenezer Mears, a private British mineral extractor, and the purchase of three American waste disposal companies for about £10 million.

## Tunnel firms put case for extra £810m

From ROSS TIEMAN IN PARIS

ARMED with a curious combination of verbal clubs and olive branches, the ten contractors building the £8 billion Channel tunnel sat amid the splendour of the Pavillon Gabriel in Paris yesterday to publicly present their case for being paid an extra £810 million for work they had agreed to do for £620 million.

The unaccustomed press conference might never have happened but for a letter to *The Times* last week from Sir Alastair Morten, chief executive of Eurotunnel, the project's developer. In his letter, Sir Alastair pointed out that the individual contractors were not bound by the confidentiality agreement between Eurotunnel and Transmanche Link, the contractors' joint venture.

Yesterday, the contractors made clear they were tired of being Sir Alastair's collective whipping boy. Jean-Paul Parayre, president of Dumez, the French contractor, gave warning that TML would run out of cash "within weeks" unless Eurotunnel increased monthly payments to take account of cost escalations in the fixed-price contract.

Changes to the project specification by Eurotunnel, which had knock-on effects, were at the root of the cost over-runs, he said. He accused Eurotunnel of trying to off-load the cost of changes onto contractors, rather than seek new finance from its bankers or shareholders.

He added, however: "The contractors meeting here today hope to recover, together with Eurotunnel, the original spirit of co-operation of the contract. We need to regain the sense of partnership and trust." Peter Costain, of the Costain group, said the contractors would have to pull out.

Sir Alastair, responding from London, said: "They are just getting it off their chest." □ Costain is playing down reports that it is close to selling County & District, its property business, for about £100 million. The group is not ruling out sales of individual properties, however.

Comment, page 27

## Maine-Tucker

Recruitment Consultants

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# News Corp share sale speeds debt repayment

By OUR CITY STAFF

THE News Corporation, owner of *The Times*, is floating off its main commercial printing and magazine interests in Australia.

The deal will raise Aus\$682 million (£317 million) for the group to strengthen its balance sheet and move its debt repayment programme well ahead of schedule. News Corp is selling 55 per cent of the shares in Pacific Magazines and Printing, a newly formed company, but retaining a 45 per cent stake.

The shares are being offered to News Corp's Australian

shareholders in the form of a rights issue, which has been underwritten by JB Were and Son, the country's leading retail stockbroker. Overseas shareholders will not be allowed to take up their entitlement, which will be sold into the market.

The issue values Pacific as Australia's 60th largest company. The group will own magazine titles including *TV Week*, *Australian Home Beautiful* and *Your Garden* and will have a wide range of printing contracts, including 79 of the top 100 magazines in Australia, 15 per cent of all books and 21 million telephone directories a year.

In the year to end-June, Pacific's assets generated sales of Aus\$628 million and an operating profit before interest of Aus\$89.7 million.

The group plans to float 112 million shares at Aus\$3.40 each and Pacific forecasts a dividend of Aus10 cents a share in June next year and a further Aus10.4 cents in December. The company will be chaired by Kenneth Cowley, chief executive of News Ltd.

The share sale will raise Aus\$382 million, while Pacific has arranged loans of Aus\$300 million with National Australia Bank and Westpac. The funds raised will be used in News Corp's debt repayments next year. The company said the group has already repaid all but US\$20 million of the US\$400 million due in February. A further US\$400 million is due in June and again in December.

The share sale, coupled with the group's US\$175 million preference share issues this week, puts the group on course to meet all these payments early.

News Corp also said it is negotiating the sale of its Murdoch Magazines division, which publishes *Family Circle*, to raise further funds.

News Corp's shares closed in Australia yesterday at Aus\$12.90, a gain of Aus\$1.3 in the past two days.

Dr Ashraf Marwan, the Egyptian financier who owns 9.8 per cent of Kelt's shares, has been seeking board changes. The shares were unchanged at 16p yesterday.

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INSTANT ACCESS SAVINGS

CHECK INTO  
a luxury  
SHORTBREAK  
holiday

## Blue Arrow trial Cohen tells of poor judgment

By ANGELA MACKAY

THE former chief executive of County NatWest said poor judgment rather than dishonesty motivated the late take-up of shares by advisers to Blue Arrow's record cash call in 1987.

Jonathan Cohen, one of the defendants in the trial, under cross-examination by Nicholas Purnell, QC, for the prosecution, said he thought "it was poor judgment taken at a very difficult time by honest people".

Mr Cohen said he did not believe the move was proper, but added that he could not say that if he had been at the meeting where the strategy was devised that he too would not have agreed to the late take-up. The prosecution claims advisers tried to hide the cash call's failure by boosting the take-up from 38 per cent to 49 per cent after the issue had closed.

Mr Cohen said he did not know that his bank had subscribed to a late take-up of rights until he read a report compiled by trade and industry inspectors in 1989.

He admitted that the press announcement after the issue had been "economical with the truth" when it referred to a 49 per cent take-up.

County NatWest, NatWest Investment Bank, UBS Phillips & Drew and five individuals all deny conspiring to mislead the markets.



"A very difficult time": Jonathan Cohen

## Electricity charges queried

By MARTIN WALLER

REGIONAL electricity companies were on collision course with Stephen Littlechild, the industry regulator, over his demand for the repayment of almost £100 million to electricity users.

Professor Littlechild's Office of Electricity Regulation, in a letter to seven of the now-privatised regional companies, gave a warning that they were likely to be overcharging customers in the current financial year because of lower than forecast inflation rates and asking them to rectify the position by cutting tariffs or giving refunds.

The other five companies in England and Wales were

asked to consider passing the benefits of lower inflation on to their customers. Several companies insist it is too early to assess the sums involved or whether there would be any overcharging.

In particular, they say, a winter as cold as the last one would see customers using a higher proportion of cheap off-peak units, with a fair chance that the companies would then not be in breach of the complex regulatory regime governing electricity prices.

"Our preference is to wait until the results are clearer and then accommodate the final effect in our prices for next year," said Southern Electric,

one of the seven and accused of potentially overcharging by £17 million.

"We just feel it is totally premature," said Manweb, covering the Northwest and North Wales and claimed to owe a possible £2.5 million.

Nigel Hawkins, electricity analyst at Hoare Govett, the broker, said there was "an element of public relations" about Professor Littlechild's move, which followed a get-tough stance recently adopted by the water regulator. He said the companies involved would not necessarily be surprised at the move "but may well not have been expecting a public announcement".

## Japanese brokers see dive in profits

By NEIL BENNETT  
BANKING CORRESPONDENT

JAPAN'S financial scandals have caused profits to plummet at the country's big three stockbrokers, while Yamaichi Securities has plunged into losses for the first time in 25 years.

Nomura Securities, Daiwa Securities, Nikko Securities and Yamaichi all published half-year figures to end-September in line with their earlier forecasts.

Nomura's pre-tax profits fell 64 per cent to ¥39.8 billion (£177 million). The group blamed a slump in turnover on the Japanese stock and bond market because of the scandals, and the attempted coup in the Soviet Union.

A company statement said: "Daily turnover on the Tokyo stock exchange diminished throughout the term since investors concerned with the recent scandals stayed to the sidelines of the market." During the period, Nomura traded shares worth ¥10,003 billion, a fall of 51 per cent, while the volumes of bond trading fell 28 per cent to ¥166,000 billion.

Nomura has left its profit forecast for the year to end-March unchanged at ¥75 billion. While this is likely to be cut soon to take account of the continued closures, the group is unlikely to make a loss for the year.

The group's underwriting operations were relatively unaffected. Nomura underwrote 29 million shares, a rise of 28 per cent, although the value fell 44 per cent to ¥60 billion.

Profits at Daiwa in the half year fell 70 per cent to ¥20.6 billion, while Nikko plunged 64 per cent to ¥12.1 billion. Like Nomura, both blamed a slump in turnover on the Japanese markets.

Yamaichi lost ¥5.42 billion, compared with a ¥30.5 billion profit last time. The firm is thought to have been hit badly by losses from trading on its own account. The losses appear to be one-off charges, since the group is still forecasting a profit of ¥20 billion for the year as a whole.

This is the first loss from a Japanese securities house since the mid-Sixties when they were all caught by a slump in stock market prices.

## BUSINESS ROUNDUP

### Molynx issue to fund overseas takeovers

MOLYNX Holdings, the closed circuit television and environmental control group, is raising £5.5 million through a rights issue to fund acquisitions, using the balance to reduce borrowings. Shareholders are being offered three new shares for every five held at 88p each, against Tuesday's closing price of 114p. The shares slipped 9p to 105p yesterday.

Molynx has forecast pre-tax profits of not less than £1.9 million and earnings per share of 11.3p for this year, compared with £1.69 million and 12.5p for 1990. Shareholders are promised a final dividend of 2.7p, which would make 4p (3.75p). Molynx has agreed to buy American Auto-Matrix of Pittsburgh for £2.9 million and ISC Computer Automation of Frankfurt for £1.5 million.

### Mosaic sells Arthur Wells

MOSAIC Investments, the industrial products to licensing group, has sold the business and certain assets of Arthur Wells & Company, realising about £400,000. The proceeds from the disposal will be used to reduce Mosaic's borrowings. Arthur Wells made a loss, before interest and tax, of £55,000 in the year to end-April, on turnover of £897,000.

### BP offshoot in Swiss deal

BRITISH Petroleum's Swiss subsidiary has agreed to transfer the supply of 170 of its dealer-owned petrol stations to Agip of Italy's Agip (Suisse). BP said the undisclosed price was not material in relation to its assets. This will allow BP (Switzerland) to reinforce its brand image and performance in its remaining network of 400 sites.

### Wensum interims dip

WENSUM Company, the clothing manufacturer that makes corporate uniforms, saw interim pre-tax profits to end-July fall from £369,000 to £332,000 on sales down from £4.59 million to £4.18 million. The results were hit by the closure of G.A. Dunn, the menswear chain, which was a Wensum customer. The interim dividend is held at 1.15p.

Andrew Hughes, group chairman, said: "The corporate clothing division has seen a decline in turnover as customers delayed launching new projects." The USM-quoted shares were unchanged at 73p.

### Lerose rises but trade falls

HOUSE of Lerose, the ladies' fashionwear manufacturer, lifted pre-tax profit from £409,000 to £425,000 in the six months to end-June, on turnover down from £9.7 million to £7.8 million. Closure costs resulted in an £82,000 extraordinary charge. The company said trade was still declining but the interim dividend is maintained at 3p.

### Plastiseal profits slip

THE recession has continued to hurt Plastiseal, the window and door group. Turnover fell 33.6 per cent to £7.31 million in the six months to end-July. An exceptional gain of £422,000 limited the decline in pre-tax profits, which slipped from £456,000 to £438,000. Earnings per share were 4.5p (3.7p). The interim dividend is maintained at 1.5p.

### Vinten buys US firm

VINTEN Group, which makes optical, broadcasting and camera equipment, is acquiring Bexel Corporation, a California-based video equipment company, for a maximum of \$7.9 million in shares and cash.

Vendor shares worth about \$6.9 million are being placed with institutional investors at a price of 265p. In addition, Vinten is raising about £4.6 million through a further placing of shares, also at 265p. Humphrey Wood, Vinten's chairman, said the acquisition would enhance earnings. Bexel made pre-tax profits of \$834,000 on turnover of \$7.9 million in the year to end-June. Vinten shares were unchanged at 275p.

## Smiths Industries waits for a new day to dawn



Barton: impressive record

TO RUN up an escalator that is moving fast in the opposite direction is not easy, but Smiths Industries shows, with 1991 results, that it can be done.

Against a background of weak aerospace and industrial markets, tough competition within medical systems, and with no benefit from property sales — group sales eased from £673 million to £655.5 million — pre-tax profits in the year to August 3 just inched forward to £120.3 million (£120 million).

Employment numbers are down 1,000 over the year, while the trading return on a reduced turnover was 15.8 per cent against 15.3 per cent. The modest improvement in net earnings, from 27.5p to 27.6p, is progress in a climate that remains tough, and the rise to 6.8p (6.5p) in the final dividend, making 10.7p (9.9p), will be welcomed by income funds.

Strategic orders gained by the aerospace division, especially for the new generation of Boeings, and strength within the medical field, further cemented by a 24.5 per cent equity stake taken in Japan-Medico, give Smiths a sound footing for the better economic days yet to break. Meanwhile, Smiths, which has not been geared for a decade, holds net cash of £79 million.

and enjoys positive trading cash flow from all its operations.

Smiths' stride up the escalator could well alter this year as world economic recovery looks like being postponed, and pre-tax profits could well slip to £109 million. But at 265p, down 1p, the 10.6 times rating is not demanding, the yield is 5.4 per cent, and the shares remain a sound enough holding ahead of the better days that will dawn.

### JIB Group

FOR excitement-starved investors, it seems rather hard that of the mere handful of non-privatisation offers for sale to reach the market this year two should be from the insurance broking sector.

## Japanese growth optimism

By COLIN NARBROUGH  
ECONOMICS CORRESPONDENT

YASUSHI Mieno, governor of the Japanese central bank, has voiced confidence over the prospects for sustained growth in Japan, but failed to give the markets any hint of the discount rate cut that is widely expected.

Under pressure from Japanese industry and government departments to ease the monetary reins to brake the economic slowdown, he said that, although inflation was easing, there were no grounds for optimism in this area. But he said personal sector spending was likely to remain firm and corporate investment was still at a sound level.

Amid predictions of the worst slowdown since the 1973-4 surge in oil prices, the clamour for immediate interest rate cuts has grown in recent weeks. The gross national product fell by an annualised 2 per cent, in real terms, in the second quarter.

The Bundesbank's policy-setting council is expected to leave its key lending interest rates unchanged, but German interest rates are still expected to be raised by the end of this year to contain inflationary pressures.

In Britain, construction industry orders in the three months to August rose a provisional 5.0 per cent, after seasonal adjustment, but remained 4 per cent below the same period in 1990.

\*Last date of departure June 20th 1992. \*\*Rates may vary but are accurate at time of going to press. Gross interest does not take into account deduction of income tax at basic rate. The Compounded Annual Rate is the true annual return on your savings if quarterly interest payments are retained in the account. Interest will be paid net of the basic rate of income tax currently 25% (which may be reclaimed by non-taxpayers), or gross subject to the required certification/declaration. Terms and conditions of the Luxury Shortbreak Holiday offer and the Premium Reserve savings account are available on request from any NatWest branch.

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Name:  Mr/Ms/Ms/Ms  
Forename:

Address:

Postcode:

Do you have an account with NatWest? ☐ Yes ☐ No

Signature:

Date:

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Account Number:

Sort Code:

Branch:

New Accounts:

Opening balance: £

Existing Accounts:

Bank stamp:

This Acceptance Form must be sent to:

Mail Section by letter/branch mail, for processing:

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### FT-SE 100 VOLUMES

Vol '000	Vol '000	Vol '000	Vol '000
Abbey Nat 3,986	Cadbury 2,088	Lorho 4,118	Royal Bank 8,247
Ad-Lynx 1,134	GU 88	Loose 1,160	Royal Ind 547
Angien 12	Courtaulds 2,557	M&S 3,850	Sainsbury 1,405
ASDA 6,236	Enterprise 857	McEwain Cn 422	Scott & N 1,427
AS Foods 829	Eurochem 318	M&P 58	Scott Power 2,820
Argyll 3,154	Fisons 1,354	Midland 500	Seas 3,155
Argo Wigs 139	Foris 779	Net Power 2,677	Seyern Trnt 1,304
BAA 227	Gen Acc 870	Net West 1,505	Shall 3,155
BET 891	GEO 1,020	N W Water 2,200	Smith & N 2,359
BETA 1,448	Glaxo 1,559	NPN 100	SK Beach 730
BAT 1,985	Grand Met 719	P&O 544	San Alfron 1,226
Bardays 2,824	GUS 'A' 79	Peterson 829	Tarmac 1,754
Bass 562	GUS 'B' 1,498	Pfizer 1,454	Tate Lyle 372
BICC 421	Guinness 1,212	PowerGen 1,828	TSB 1,156
Bk Scotland 1,363	Hanson 6,750	Prudential 1,835	Tesco 6,325
Blue Circle 1,019	Hawker 181	RAC 317	Thames Wtr 943
BOC 617	Hilldown 589	RAC 317	Thorn EM 781
Boots 2,805	ICI 428	Redland 700	Trafalgar 2,882
Br Auro 1,038	Inchcape 207	Reed 102	Unilever 4,957
Br Airways 1,284	Kingfisher 1,617	Ranjit 102	United Bk 571
Br Gas 5,603	Lasmo 3,017	Reiters 672	Vodafone 1,892
Br Petrol 2,845	Labrook 881	RMC 145	Walcotone 61
Br Steel 4,102	Land Sec 404	RTZ 788	Whitard 552
Br Telecom 4,135	L&Q 1,258	R-Royce 2,327	Williams 2,418
CAW 787	Lloyds 1,885	Rothenmans 277	Wills Cor 194

### TRADITIONAL OPTIONS

First Dealings: October 21  
Last Dealings: November 1  
Last Declaration: January 28  
For Settlement: February 3  
Call options were taken out on: 23/10/91  
ML, LBS, South West Water, Barrett Devs.

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# Bear raiders on the loose again

## COMMENT

Dealers approached with a hot tip on the imminent collapse of another stalwart of corporate life should think first before reaching for the phone. To judge from the shenanigans surrounding the share price of Associated British Foods yesterday, the bear raiders are back.

Any who go for the bait and find their fingers burned are advised not to look to the Stock Exchange, ostensibly the market watch-dog, for redress. A spate of raids last year left a number of company chairmen deeply resentful and led to serious calls for action, and Peter Rawlings, the exchange's chief executive, announced an enquiry.

A year later concrete results of that enquiry are not easy to discern. There have been arrests, but none in connection with some of the more flagrant examples, where millions of pounds were wiped off the share prices of perfectly reputable companies by what looked like a professional ring of raiders.

It is presumably not beyond the bounds of human capability to trace some of the rumours to

someone who has been active in the market in the relevant shares at the relevant time. Gossip at City watering-holes regularly points to certain market operators. The Stock Exchange comforts itself with its familiar mantra that it always investigates all suspicious movements in share prices, but as with other examples of insider trading, little appears to be detected. Too many obvious leaks resulting in improper gains or the unfair avoidance of losses are these days going unpunished.

AB Foods, with cash in the bank even after buying British Sugar earlier this year, is regarded as one of the safest havens in the FT-SE yet has been singled out for one of the few raids of the year. Albert Fisher is another food group that suffered the attentions of the bear raiders a few weeks ago.

Significantly, both were in "close season" ahead of results and unable under Stock Ex-

change regulations to communicate with the market as fully as they might like, making them easy targets for the raiders.

## BTR ahead

Under the new leadership of Alan Jackson, BTR appears to be coasting to victory in its bid for Hawker Siddeley having so far won the battle for the hearts and minds of investors. Indeed there has been a delicious irony or two in the affair that reflects better on BTR than on Hawker. Hawker's strategy has been to identify some core operations such as electric motors, industrial batteries and aerospace overhaul and maintenance as the keys to its future and to effectively notify the world that most of the rest is

up for sale. Such restructuring, buying and selling is more widely identified with BTR which has digested and reshaped a long stream of acquisitions over the years. BTR, on the other hand, says that it prefers to hang on to most of Hawker if it is eventually successful.

Most outsiders would say that BTR is better suited to the task of rebuilding a new Hawker simply on the grounds that it has a tried and tested approach to such an exercise plus a management team thoroughly familiar with the nuts and bolts of the process. BTR says however that wholesale disposals are not needed.

Either way, the future of Hawker looks more assured in BTR's hands whatever course of action is eventually required. If Hawker is to regain the initiative

it must attempt to fight on a different arena. The market is expecting a defence soon that will concentrate on two aspects of the battle, the underlying profitability in Hawker's constituent parts and some perceived inadequacies of BTR's offer.

## Arctic freeze

The increased frequency of pay freezes in Britain this year has helped slow average earnings growth to 7.75 per cent, an achievement that has won wide acclaim. If British industry is to compete, now the pound is subject to the disciplines of the European exchange-rate mechanism, pay costs must not rise faster than that of our rivals abroad.

Outperforming the Germans on both inflation and wage growth, albeit temporarily, is within reach. As Robin Leigh-Pemberton, Governor of the

Bank of England, wisely remarked, the Germans will not always be the yardstick of best performance. On pay, that is already true. British industry should, perhaps, look further afield, northwards to Finland, for the new model country on earnings.

A landmark agreement reached between the bulk of Finland's employers and trades unions on Monday would appear to confirm that the Finns are prepared to face truly Arctic conditions on pay. Under the 22-month accord, which comes into force next January, workers' will accept a loss of 4.1 per cent of their purchasing power, while industry's wage costs are lowered by about 7 per cent, as pensions payments are transferred to the employer.

The draconian response is, perhaps, understandable, given the fact that country is suffering its deepest recession since 1920. It is to be hoped that pay-setting *à la Finnoise* will not turn into competitive wage-cutting across Europe. That could bring icy winds all too reminiscent of the Great Depression.

# Presenting the bill for putting food on Soviet Union tables

Industry chiefs are prepared to give aid, Ross Tieman writes, but only if government pays its share

JOHN Gummer will sit down with leaders of Britain's food manufacturing and distribution industries today to discuss an unpalatable request for government cash to underwrite efforts to modernise the economy of the Soviet Union.

The position of business leaders is straightforward. They are willing to help, but cannot justify to their shareholders the high risks and uncertain returns of immediate large-scale investment in the East when they could make more money, with less risk, elsewhere. If the government wants to achieve its political aim of modernising the economy of the Soviet Union in order to achieve political stability there, it must underwrite its share of the risk.

Most business leaders who visited the Soviet Union at the request of Margaret Thatcher, the former prime minister, refused to spend anything more than pin money. This time, the political imperatives to provide assistance are much greater.

John Major spent part of his career at Standard Chartered Bank. He cannot fail to understand the commercial assessment of risk, but the idea of state underwriting for overseas investment will not sit easily with a government so firmly wedded to privatisation.

The Food Group visit to the Soviet Union was a personal initiative by Mr Major. Faced with claims that the Soviet population might starve this winter, Mr Major had Mr Gummer call a meeting of 40 executives from the food industry on September 5.

Just 17 days later, seven set off under the leadership of Sir Ronald McIntosh, a former senior civil servant, on a ten-day study tour, examining the food chain from farm to shop counter in selected areas around Moscow and St Petersburg. The roll call was impressive. Members of the delegation were Alistair Grant, of Argyll



Facing shortages: a lack of fresh produce is forcing citizens to stock up on tinned food

Group, Tony Millar, of Albert Fisher, Richard Baldwin, of APV, Tony Hales, of Allied-Lyons, John Wood-Dow, of Hillside Holdings, George Hazle, of Exel Logistics, and John Mitchell, of ICI.

They made their recommendations to Mr Gummer and Mr Major on October 4. Today's meeting between Mr Gummer and industry representatives will provide the first clues to how willing the government will be to share the risks implicit in the task it wants industry to undertake. The scale of that task cannot be understated. Mr Hazle said: "We thought we could work with what was there. We were wrong."

Soviet food production and

distribution is, at best, an inverted image of the market economy model, the group found. Supply is driven by production, rather than by demand from consumers. Inefficiencies exist at every level.

Farms are too large. Their yields are only a third or a quarter of levels achieved in the West. They have poor quality seeds, livestock strains and harvesting methods.

Tractor parts supplies are scarce and repairs are made in huge, inefficient centralised workshops. Storage throughout the Soviet Union is in three-storey warehouses, their floors impeded by pillars, which cannot accommodate modern racking and pallet-handling systems. Packaging is inadequate to prevent damage to produce. The largest lorries available have a ten tonne payload. Most road transport is by seven tonne trucks that break down frequently because roads are in poor repair.

Even on the railways, refrigerated compartments and purpose-built wagons are a rarity. Food often arrives at processing factories in a poor state. Factories are often inefficient and their buildings poorly designed. Overmanning is commonplace. Because people eat much of their food in factory canteens, the number of shops is small in comparison to the West. This factor alone will be a barrier to the development of a

market system. Most urgent of all, the government must take a lead in negotiations with the Soviet Union and the republics to ensure that British business, if it makes a commitment, is not wrong-footed by political instability, or a failure to allow prices to find market levels.

Government underwriting is needed to prime the pump of investment in the Soviet Union, business leaders say. British companies will be prepared to reinvest Soviet earnings in the modernisation of the Soviet economy only if they know they can take profits out

on his telephone answering machine, have come up with yet another. Their latest message says: "Because of pressure on Sir John Harvey-Jones's time, there is a mad scientist here trying to develop six clones of him so he can be in several places at once. You can either leave a message for Sir John or the mad scientist."

Man's world

The feminine touch is sadly lacking these days in Lazard Brothers' corporate finance department. A new wave of departures has left Frances Heaton, a director, as the sole remaining woman on John Nelson's team, compared with 16 women two years ago.

Penny Scott has moved to Hambros and Kate Brasher, whose father, Chris, is well known for organising the London Marathon, has left to have a baby. Catherine Moerle has switched to Lazard's Capital Markets, where she is working under Alexander Catto.

Man's world

Man's world

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Man's world

## Crucial role of services in the UK economy

From the chairman of the British Tourist Authority and board member of British Invisibles

Sir, The CBI is quite right to highlight the problems of manufacturing industry (October 22). But many of us feel that more attention should also be paid to the service sector.

It really won't do, these days, to make judgments about the state of the British economy on the basis of "manufacturing output". One plainly cannot arrive at a sensible conclusion if one ignores services, which have acquired a greater significance than ever before.

Private invisible exports account for over half of this country's foreign exchange earnings. This includes income from insurance, banking, shipping, aviation, tourism, and other services.

Tourism alone employs 6 per cent of the entire workforce and brings in £8 billion in foreign exchange earnings. The industry is considerably larger than many manufacturing sectors, such as motor vehicles and aerospace. It still has impressive growth prospects.

We would like to see more evidence that the increasingly important role of services is clearly understood and appreciated by politicians as well as by the CBI.

Yours faithfully, WILLIAM DAVIS, Chairman, British Tourist Authority, 24 Grosvenor Gardens, SW1

From the director-general, Association of British Chambers of Commerce

Sir, Your Comment in the Business Section on October 22 was critical of the "too many voices" speaking for British industry. The Babel babble of which you complain is a reflection of the different and complementary business constituencies for which we speak - CBI for the generality of the business community

## Civilian approach

From the joint co-ordinator, Campaign Against Arms Trade

Sir, Ross Tieman's article on military industry "Exports offer the best defence against cuts and recession" (October 17) has an anachronistic tone. It concludes that the warming of East-West relations and the Gulf war have led to a situation where exports are the key to survival for Britain's military industry.

The global market for arms is shrinking. Arms sales worldwide declined by 35 per cent in 1990 from 1989, and the decline in the developing world is still greater. This, combined with the cuts in domestic military spending following the welcome thawing of the Cold War, means that any company with economic foresight would be getting out of the arms trade.

The Gulf war did not stop the daily reports of closures and redundancies in military industry. What it did do, however, was to make the world aware of the grave dangers of trading in arms. A response which would address the plight of Britain's arms factories without fuelling regional arms races is to work for the conversion of military industry to civilian production.

This would create a more secure livelihood both for arms industry workers here and for the people in the regions to which the wares will be sold. Yours faithfully, JANET WILLIAMSON, Joint Co-ordinator, Campaign Against Arms Trade, 11 Goodwin Street, Finsbury Park, N4.

British industry felt in the Commission and to influence our counterparts in the rest of Europe to lobby in turn their own Governments. That lobby can only be built around the CBI, which has done an excellent job in Brussels, both individually and through UNICE. Next year there will be a British president of the European Association of Chambers of Commerce and the Institute of Directors is increasingly active in Europe. Trade associations form part of European networks. 1992 should see a determined effort to coordinate all this activity on behalf of British business.

Yours faithfully, RON TAYLOR CBE, Director General, The Association of British Chambers of Commerce, 9 Tufton Street, SW1

Yours faithfully, RON TAYLOR CBE, Director General, The Association of British Chambers of Commerce, 9 Tufton Street, SW1

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## ANZ hands in licence

ANZ Merchant Bank, a subsidiary of the antipodean ANZ Group, has surrendered its merchant banking licence to the Bank of England. Without any public announcement, ANZ handed back the licence on September 30, after taking a policy decision to concentrate on commercial and retail banking. The closure of its UK corporate finance department has meant the loss of about 15 executive jobs and comes two years after ANZ decided to close its UK stockbroking division, four years after acquiring Capel-Cure Myers, the British firm. Among its redundant financiers is Robin Walker, a former director of Capel-Cure Myers, who will join the burgeoning corporate finance department at Smith & Williamson, the private banking group. Walker reveals that he chose Smith & Williamson in preference to three other job offers. "Its corporate finance department is almost

## THE TIMES CITY DIARY

exactly the same size as the one I have left behind," he says.

### Taking sides

THE apparent support given by Lord Tombs, the Rolls-Royce chairman, to the decision to launch an Office of Fair Trading enquiry into the £272 million sale of British Airways' engine overhaul facility in South Wales to General Electric of America, is in danger of jeopardising hitherto friendly relations between the two British companies. Lord King, the BA chairman, known for his bulldog-like tenacity when it comes to flying the British flag, is understood to be far from amused. Lord Tombs, who is anything but a salesman, seems to have forgotten that more than 60 per cent of Rolls-Royce's civil engine business comes from BA and

that Rolls-Royce is currently in receipt of \$1.6 billion of orders from BA for engines and spares. Informed sources reveal that the competing offer from Rolls-Royce for the Treforest facility was more than £10 million short of GE's, and that despite an extension of the deadline, and

a blatant invitation by BA for Rolls-Royce to up the ante, a higher offer was not forthcoming.

THINGS must still be tough Down Under. Included in the procedural instructions for students graduating from Perth's Murdoch University was the following advice: "At the conclusion of the ceremony, marshals will instruct you when to join the recession."

### Jones clones

SIR John Harvey-Jones, the businessman turned broadcaster and public speaker, clearly enjoys working with people who have a well developed sense of humour. The former ICI chairman's secretarial staff at his home in Ross-on-Wye, Herefordshire, who are already renowned for the witty messages they record





# ama Zing!

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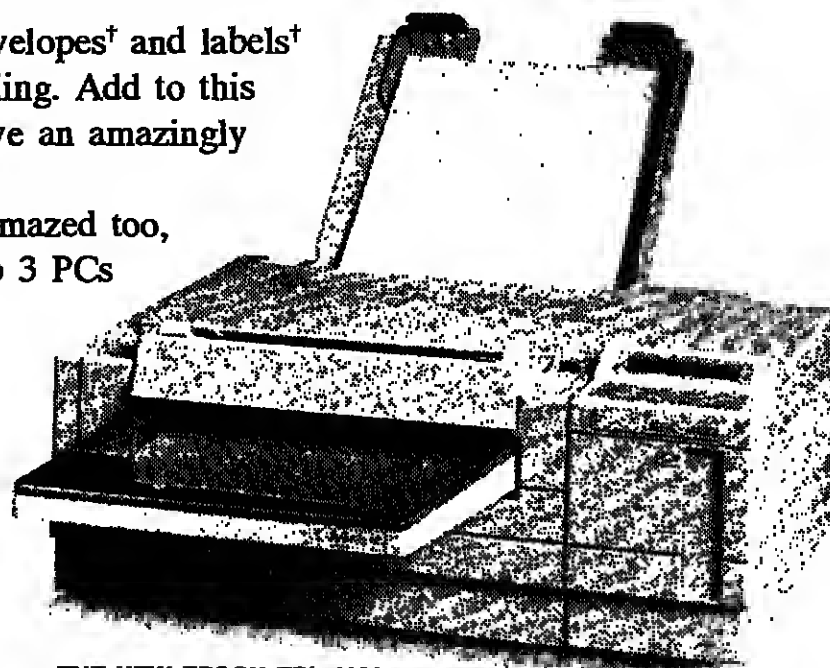
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No.	Company	Group	Gain or loss
1	Marks Spencer	Drugs, Stores	
2	Scot Mid	Property	
3	Tomkins	Industrials S-Z	
4	Abbey National	Bank, Discount	
5	Br Land	Property	
6	Burtonwood Brew	Breweries	
7	South West	Water	
8	Flanagan	Industrials E-K	
9	Norden & Peacock	Food	
10	St Ives Grp	Paper, Print, Adv	
11	Leigh	Chemicals, Plastics	
12	Thorncliffe	Food	
13	Freemantle	Oil, Gas	
14	Waltham & D	Breweries	
15	HSCB	Bank, Discount	
16	Hutcheson Whampoa	Industrials A-D	
17	Boots	Water	
18	Wish Water	Transport	
19	TNT	Drugs, Stores	
20	Scans	Oil, Gas	
21	Clyde Pk	Leisure	
22	Chrysalis	Leisure	
23	Lucas	Motors, Aircraft	
24	North West	Water	
25	Cardiff Prop	Property	
26	New London	Oil, Gas	
27	Chairs Sundry	Industrials E-K	
28	Chairs Sundry	Bank, Discount	
29	Black	Electricals	
30	Ryl Bk Scot	Bank, Discount	
31	Compass Grp	Leisure	
32	Wardle Stores Plc	Chemicals, Plastics	
33	Severn Trent	Water	
34	Taylor Woodrow	Building, Roads	
35	Dowry	Motors, Aircraft	
36	Scobe	Industrials S-Z	
37	Ladbrokes	Hotels, Caterers	
38	Morgan Ole	Industrials L-R	
39	Swire Pacific A	Industrials S-Z	
40	Unilever	Industrials S-Z	
41	Alcon Fisher	Electricals	
42	Br Dealing	Building, Roads	

Please take into account any minus signs

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MON	TUE	WED	THU	FRI	SAT

There were no valid claims for the Portfolio Platinum prize yesterday. The £2,000 will be added to today's competition.

BRITISH FUNDS			
1990/91	High	Low	Stock

SHORTS (Under Five Years)			
1990/91	High	Low	Stock

FIVE TO FIFTEEN YEARS			
1990/91	High	Low	Stock

OVER FIFTEEN YEARS			
1990/91	High	Low	Stock

UNDATED			
1990/91	High	Low	Stock

INDEX LINKED			
1990/91	High	Low	Stock

BANKS, DISCOUNT, HP			
1990/91	High	Low	Stock

ELECTRICALS			
1990/91	High	Low	Stock

## STOCK EXCHANGE PRICES

# Electricity shares fall

ACCOUNT DAYS: Dealings began October 14. Dealings end tomorrow. Settlement day October 28. Settlement day November 4.  
Forward bargains are permitted on two previous business days.

Prices recorded are at market close. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Where one price is quoted, it is a middle price. Changes, yields and price/earnings ratios are based on middle prices.

1991	High	Low	Company	Price	Change	%	P/E

BREWERIES							
1991	High	Low	Company	Price	Change	%	P/E

BUILDING, ROADS							
1991	High	Low	Company	Price	Change	%	P/E

ELECTRICITY							
1991	High	Low	Company	Price	Change	%	P/E

FINANCE, LAND							
1991	High	Low	Company	Price	Change	%	P/E

FINANCIAL TRUSTS							
1991	High	Low	Company	Price	Change	%	P/E

FOODS							
1991	High	Low	Company	Price	Change	%	P/E

CHEMICALS, PLASTICS							
1991	High	Low	Company	Price	Change	%	P/E

DRAPERY, STORES							
1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

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1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

## Portfolio PLATINUM

© Times Newspapers Limited  
DAILY DIVIDEND  
£4,000  
Claims required for +28 points

Claimants should ring 0254-53272

1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

1991	High	Low	Company	Price	Change	%	P/E

© Ex dividend & Ex at b Forecast dividend & interim dividend & Ex at c Ex at d Ex at e Ex at f Ex at g Ex at h Ex at i Ex at j Ex at k Ex at l Ex at m Ex at n Ex at o Ex at p Ex at q Ex at r Ex at s Ex at t Ex at u Ex at v Ex at w Ex at x Ex at y Ex at z Ex at aa Ex at ab Ex at ac Ex at ad Ex at ae Ex at af Ex at ag Ex at ah Ex at ai Ex at aj Ex at ak Ex at al Ex at am Ex at an Ex at ao Ex at ap Ex at aq Ex at ar Ex at as Ex at at Ex at au Ex at av Ex at aw Ex at ax Ex at ay Ex at az Ex at ba Ex at bb Ex at bc Ex at bd Ex at be Ex at bf Ex at bg Ex at bh Ex at bi Ex at bj Ex at bk Ex at bl Ex at bm Ex at bn Ex at bo Ex at bp Ex at bq Ex at br Ex at bs Ex at bt Ex at bu Ex at bv Ex at bw Ex at bx Ex at by Ex at bz Ex at ca Ex at cb Ex at cc Ex at cd Ex at ce Ex at cf Ex at cg Ex at ch Ex at ci Ex at cj Ex at ck Ex at cl Ex at cm Ex at cn Ex at co Ex at cp Ex at cq Ex at cr Ex at cs Ex at ct Ex at cu Ex at cv Ex at cw Ex at cx Ex at cy Ex at cz Ex at da Ex at db Ex at dc Ex at dd Ex at 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This document is issued in compliance with the requirements of The London Stock Exchange pursuant to Section 154 of the Financial Services Act 1986. The issue of this document has been authorised by The London Stock Exchange without approval of its contents.

This document contains the Terms and Conditions of Application, the Guide to the Application Form, an Application Form and statements of a factual nature drawn from the Listing Particulars dated 23rd October, 1991 (the "Listing Particulars") which have been published by JIB Group plc and should be read in conjunction with such Listing Particulars which alone contain full details of the history and business of the Company. The Directors are satisfied that this document contains a fair summary of the key information set out in the Listing Particulars. Application has been made to the London Stock Exchange for the whole of the issued ordinary share capital of the Company to be admitted to the Official List.

The application lists for the Shares now being offered will open at 10.00 a.m. on Thursday, 31st October, 1991 and may be closed at any time thereafter. It is expected that definitive share certificates will be despatched on 6th November, 1991 and that listing will become effective and dealings will commence on 7th November, 1991. Definitions set out in the Listing Particulars shall also apply in this document unless the context requires otherwise.



# JIB Group plc

Placing and Offer by  
Robert Fleming & Co. Limited

of 33,000,000 ordinary shares of 10p each at 195p per ordinary share

payable in full on application

of which 16,500,000 ordinary shares are being placed and  
16,500,000 ordinary shares are being offered to the public

## SHARE CAPITAL FOLLOWING THE PLACING AND OFFER

AUTHORISED	ISSUED AND FULLY PAID
£15,700,000	IN ORDINARY SHARES OF 10p EACH £10,938,075

## INDEBTEDNESS

At the close of business on 27th September, 1991, the Group had outstanding borrowings or indebtedness in the nature of borrowings of £55.5 million, comprising £3.9 million of guaranteed unsecured loan notes, obligations under finance leases of £1.5 million, other secured borrowings or indebtedness in the nature of secured borrowings of £38.2 million and unsecured borrowings of £11.9 million. Included in secured borrowings is a US\$45 million loan to a subsidiary which is secured on a cash deposit by the Company of £26.8 million. The deposit is included in cash balances below. In addition, the Group had material contingent liabilities in respect of litigation and counter-indemnities

as noted in Note 21 to the Accountants' Report in Part 3 and in paragraphs 11 and 14(g) of Part 4 of the Listing Particulars.

Save as aforesaid and apart from intra-group liabilities, neither the Company nor any of its subsidiaries had at that date any loan capital (including term loans) outstanding or created but unused, or changes or any other borrowings or indebtedness in the nature of borrowings including bank overdrafts and liabilities under acceptances (other than normal trade bills) or acceptance credits, hire purchase or finance lease commitments or guarantees or other material contingent liabilities.

At the same date the Group had total cash balances of £279.9 million. Of the cash balances held at 27th September, 1991, £208.5 million represented insurance broking funds held by the Company's insurance broking subsidiaries for the benefit of their insurance broking creditors.

Certain subsidiary companies which are Lloyd's brokers have entered into trust deeds as required by the Lloyd's Brokers' Byelaws under which all insurance broking account assets are subject to a floating charge in favour of the Society of Lloyd's for the benefit of those companies' insurance creditors. The cash balances subject to these charges, which only become enforceable under certain circumstances, amounted to £135.9 million at 27th September, 1991.

## STRENGTHS AND FEATURES OF THE GROUP

- Record of continuous growth in recent years, with operating profit before interest payable nearly doubling between 1988 and 1990
- Strong position in the London market, with a highly successful reinsurance broking business
- Broad geographic spread and diversity of activities
- Excellent opportunities in the Far East, where JIB is a leading retail insurance broker
- Experienced and stable management team
- Success in integrating acquisitions
- Commitment to strict quality control procedures

## FINANCIAL RECORD AND CURRENT TRADING

The following information is derived from the Accountants' Report set out in Part 3 of the Listing Particulars:

In Part 5 of the Listing Particulars:				
	YEARS ENDED 31ST DECEMBER			8 MONTHS ENDED
	1988	1989	1990	30TH JUNE
	£m	£m	£m	£m
Turnover	109.0	128.2	150.6	83.8
Investment income	10.8	16.3	17.9	8.7
Total income	119.8	144.5	168.5	92.5
Operating profit before interest payable	10.4	13.5	19.6	13.7
Profit on ordinary activities before taxation	7.8	10.0	15.1	11.1
Earnings per Share	7.6p	8.9p	12.0p	9.4p

Trading in the current financial year reflects the considerable progress made by the Group primarily as a result of winning new business and an increase in premiums in certain sectors. The Reinsurance division continues to benefit from increases in premiums and growth in new business. The International Wholesale division has benefited from increased premiums as a result of the Gulf war and is now benefiting from recent increases in marine, energy and

## OFFER STATISTICS

Offer price per Share	195p
Number of Shares in issue	109,380,754
Market capitalisation at the Offer price	£213 million
Percentage of share capital now being placed and offered	30.2%
Historic earnings per Share for the year ended 31st December, 1990	12.0p
Historic price earnings multiple at the Offer price	16.3 times
Prospective earnings per Share for the year ending 31st December, 1991	13.5p
Prospective price earnings multiple at the Offer price	14.4 times
Forecast final net dividend per Share for the year ending 31st December, 1991	5.0p
Notional net dividend per Share for the year ending 31st December, 1991	7.5p
Notional gross dividend yield at the Offer price	5.1%

NOTE The historic and prospective earnings per Share, the forecast net dividend and notional net dividend per Share have been calculated on the basis set out under "Profit and Dividend Forecast" in Part 1 and in Note 8 to the Accountants' Report in Part 3 of the Listing Particulars.

## EXPECTED TIMETABLE

Application Forms and payment to be received by	10.00 a.m. on Thursday, 31st October, 1991
Basis of allocation to be announced by	Monday, 4th November, 1991
Despatch of definitive share certificates on	Wednesday, 6th November, 1991
Dealings to commence on	Thursday, 7th November, 1991

## DIRECTORS

The Directors of the Company are: Rodney Leach (Chairman), John Barton (Group Chief Executive), George Brown (USA), David Corben, Nicholas Cosh, Michael Gribbin, Dennis Guy (Australia), Martin Wakeley, The Rt. Hon. David Howell, MP (non-executive), Jeffrey Keil (USA) (non-executive), Simon Kewick (non-executive), Sir Charles Powell (non-executive) and Robin Singer (non-executive).

The Group's retail operations in the United Kingdom and Asia have made good progress in expanding their business, although profits in the United States and Australia have been held back, principally by weak markets and depressed regional economies.

## PROFIT FORECAST

The Directors forecast that, in the absence of unforeseen circumstances and on the bases and principal assumptions set out in Information Relating to the Profit Forecast in Part 2 of the Listing Particulars, the Group's consolidated profit on ordinary activities before taxation for the year ending 31st December, 1991 will be not less than £19.7 million. Based on this forecast, the Directors expect prospective earnings per Share for this year to be not less than 13.5p per Share.

## DIVIDENDS

Based on the profit forecast and in the absence of unforeseen circumstances, the Directors expect to recommend a final dividend for the year ending 31st December, 1991 of 5.0p per Share (net), payable in May 1992. If the Shares had been listed on the London Stock Exchange throughout the year ending 31st December, 1991, the Directors would have expected to recommend dividends totalling 7.5p per Share (net). At the Offer price, such dividends would represent a gross yield of 5.1 per cent., covered 1.8 times by prospective earnings per Share of 13.5p for the year ending 31st December, 1991.

## EUROPEAN ACQUISITION

On 21st October, 1991, the Company issued Shares, amounting to 6.7 per cent. of its enlarged issued share capital, in order to acquire a 27 per cent. interest in SIACI, a major French retail and wholesale insurance broker, listed on the Second Marché of the Paris Stock Exchange. SIACI provides insurance broking services to a broad range of clients in France and has operations in other European countries including Spain and Switzerland, as well as in Africa.

## PROSPECTS

The Directors believe that there is considerable potential for continued growth, both organically and by acquisition. In addition, the Directors consider that JIB, which is predominantly remunerated by way of commission, would benefit from any upturn in rates.

The Directors therefore look forward with enthusiasm and confidence to the future of the Group.

## DESCRIPTION OF THE BUSINESS

The Group's business is predominantly retail based, but it also has significant interests in the international wholesale and reinsurance sectors together with a Lloyd's members' agency. The Group has well established operations in nearly all the major insurance broking markets in the world. This broad base provides a platform for future growth and offers opportunities for cross-referral of business and exchange of new product ideas between the Group's divisions. The Group does not act as an insurer of risks.

In 1990, Group turnover was generated as follows:

ACTIVITY	AREA
Retail	70%
International Wholesale	14%
Reinsurance	13%
Lloyd's Members' Agency	3%
	Americas 50%
	United Kingdom and Republic of Ireland 39%
	Australia and New Zealand 7%
	Asia 4%

## TERMS AND CONDITIONS OF APPLICATION

- The contracts arising from acceptance of applications under the Offer will be conditional on Admission becoming effective not later than 15th November, 1991. Cheques or banker's drafts for amounts payable on application will be presented for payment before such condition is satisfied and the application money will be kept in a separate bank account and, if such condition is not satisfied, application money will be returned (without interest) by crossed cheque in favour of the applicant(s) through the post at the risk of the applicant(s). It is expected that Admission will become effective on 7th November, 1991.
- Subject to these Terms and Conditions of Application, Fleming reserves the right to consultation with the Company to reject in whole or in part or to scale down any application and to present any cheques or banker's drafts for payment on receipt. If any application is not accepted, or is accepted for fewer Shares than the number applied for, the application money on, at the case may be, the balance of the application money will be returned (without interest) by sending the applicant's cheque or banker's draft or a crossed cheque in favour of the applicant(s) through the post at the risk of the applicant(s). Fleming further reserves the right to treat as valid and binding upon the applicant(s) any application, even if the accompanying Application Form is not completed or delivered in accordance with instructions or is not accompanied by a power of attorney where necessary.
- The Offer is being made by Fleming as agent of the Selling Shareholder. Applications must be made on the accompanying Application Form or (to the extent that persons are eligible as described in paragraph 5 below) on a Priority Application Form. By completing and delivering an Application Form or a Priority Application Form you as the applicant(s):
  - offer to purchase the number of Shares specified in your Application Form or Priority Application Form (or such smaller number for which the application is accepted) on the terms and subject to the conditions set out in the form for which these Terms and Conditions of Application form part and subject in the Listing Particulars and the Memorandum and Articles of Association of the Company;
  - authorise Barclays Registrars to send on behalf of the Selling Shareholder a definitive share certificate for the number of Shares for which your application is accepted, or your application cheque or banker's draft or a crossed cheque for any monies returnable, by post, to your address for, in the case of joint applicants, to that of the first-named applicant as set out in your Application Form and to procure that your name (together with the name(s) of any joint applicant(s)) is/are placed on the register of members of the Company in respect of such Shares;
  - in consideration of the Selling Shareholder agreeing that it will not prior to 15th November, 1991 sell any of the Shares offered to any person other than by means of the procedures referred to in the Listing Particulars and as a collateral contract between you and the Selling Shareholder which will become binding on despatch of your application to be issued on first presentation and, in the case of joint applicants, to be issued on first presentation of your application to the first-named applicant as set out in your Application Form or Priority Application Form;
  - agree that your application may not be revoked until after 15th November, 1991;
  - warrant that your remittance will be honoured on first presentation and agree that, if such remittance is not so honoured, you will not be entitled to receive a share certificate in respect of the Shares applied for or to enjoy or receive any rights or distributions in respect of such Shares unless and until you make payment in cleared funds for such Shares and such payment is accepted by Fleming (which acceptance shall be in its absolute discretion and may be on the basis that you indemnify the Selling Shareholder against all costs, damages, losses, expenses and liabilities arising out of or in connection with the failure of your remittance to be honoured on first presentation) and that at any time prior to unconditional acceptance by Fleming of such late payment in respect of such Shares, the Selling Shareholder may (without prejudice to other rights) avoid the agreement to sell such Shares and may re-sell such Shares to some other person, in which case you will not be entitled to any refund or payment in respect of such Shares (other than return of such late payment);
  - agree with the Selling Shareholder and Fleming promptly on request to disclose in writing to the Selling Shareholder or Fleming any information which it may require in connection with your application;
  - agree that any share certificate to which you may become entitled and monies returnable to you may be retained pending clearance of your remittance and will not bear interest;
  - agree that in respect of those Shares for which your application has been received and is not rejected, allocation of such Shares to you shall be constituted either by notification to the London Stock Exchange of the basis of allocation (in which case allocation shall be on that basis) or by the determination of the number of Shares to be allocated pursuant to the arrangements made between the Selling Shareholder and Barclays Registrars;

- agree that all applications, acceptances of applications and contracts resulting from them under the Offer shall be governed by and construed in accordance with English law and that you submit to the jurisdiction of the English courts and agree that nothing shall limit the rights of the Selling Shareholder or the Company or Fleming to bring any action, suit or proceeding arising out of or in connection with any such application, acceptance of applications or contracts to any other manner permitted by law or in any court of competent jurisdiction;
  - warrant that, if you sign an Application Form on behalf of somebody else, you have the authority to do so and such person will also be bound accordingly and will be deemed also to have given the confirmation, warranty and undertakings contained in these Terms and Conditions of Application;
  - confirm that in making this application neither you nor any person on whose behalf you are applying is relying on any information or representation to induce the Company or to any other member of the Group other than such as may be contained in the Listing Particulars and you accordingly agree that on person responsible solely or jointly for the Listing Particulars, or any part of it, shall have any liability for any such information or representation;
  - warrant that you are not resident in the United States of America or any of its territories or possessions or areas subject to its jurisdiction including the District of Columbia and the Commonwealth of Puerto Rico ("United States") and will not, as principal or agent, offer, sell, renounce, transfer or deliver, directly or indirectly, as part of the distribution of the Shares, any Shares being purchased by you to any person in the United States or as a result of a purchase order originated in the United States and that you are not resident in Canada;
  - agree that, having had the opportunity to read the Listing Particulars, you shall be deemed to have notice of all information and representations concerning the Company contained therein;
  - you warrant that you are not applying as a nominee or agent for a person who is or may be liable in stamp duty under Section 67 or Section 70 on, in the case of stamp duty reserve tax, Section 93 or Section 95 of the Finance Act 1986 (depository receipts and clearance services);
  - unless you complete the box at the foot of the Application Form, you warrant that you are not applying for registration as a nominee or trustee for a body of persons established for charitable purposes only;
  - except in respect of any application made on a Priority Application Form, warrant that you are not under 18 years of age on the date of your application;
  - warrant that, in connection with your application, you have observed the laws of all relevant territories, obtained any requisite governmental or other consents which may be required, complied with all requisite formalities and paid any issue, transfer or other taxes due in connection with your application in any territory, other than United Kingdom stamp duty or stamp duty reserve tax, and that you have not taken any action or omitted to take any action which will or may result in the Company, the Selling Shareholder or Fleming acting in breach of the regulatory or legal requirements of any territory in connection with the Offer or your application;
  - agree that Fleming will not treat you as its customer by virtue of such application being accepted and that Fleming will not owe you any duties or responsibilities concerning the price of Shares or concerning the suitability of Shares for you;
  - authorise Fleming or any person authorised by Fleming, on your behalf, to make returns to the Inland Revenue in relation to stamp duty reserve tax (if any) payable on the contract resulting from the acceptance of your application and in relation to stamp duty (if any) payable on any transfer of Shares as a result of such contract; and
  - agree that your Application Form or Priority Application Form is addressed to Fleming, the Company and the Selling Shareholder and that the benefit of (vii) above shall extend to the persons referred to therein.
- Subject to the arrangements for employees, described in paragraph 5 below, the basis of allocation in respect of applications and the accompanying Application Form or Priority Application Form will be determined by Fleming after consultation with the Company.
  - Priority consideration will be given to applications for Shares in the offer to the public from employees in Australia, Bermuda, Hong Kong, New Zealand, Portugal, the Republic of Ireland and the United Kingdom for an aggregate maximum of 1,650,000 Shares. All employees of the Company or any of its subsidiaries in these countries who were employed as at 1st September, 1991 are eligible to apply for Shares on Priority Application Form. Excess applications on Priority Application Form will be treated as having been made on a public Application Form.

- No person receiving a copy of the Listing Particulars or this document or an Application Form or Priority Application Form is any territory other than the United Kingdom may treat the same as constituting an invitation or offer to him, nor should he in any event use such form unless, in the relevant territory, such an invitation or offer could lawfully be made to him or such form could lawfully be used without contravention of any regulatory or other statutory or legal requirements. Any person outside the United Kingdom wishing to make an application for Shares must satisfy himself as to full observance of the laws of any relevant territory in connection with the application including obtaining any requisite governmental or other consents which may be required and complying with any requisite formalities, and paying any issue, transfer or other taxes due in such territory.
- The Shares have not been, and will not be, registered under the United States Securities Act of 1933 (as amended) or under the securities laws of any state or other political subdivision of the United States and may not be offered, sold, renounced, transferred or delivered, directly or indirectly, in the United States or as a result of a purchase order known to originate in the United States.
- All documents and cheques sent by post by or on behalf of the Selling Shareholder or Fleming will be at the risk of the person(s) entitled thereto.
- The dates and times referred to in this document may be altered by Fleming so as to be consistent with the Offer Agreement summarised in paragraph 12 of Part 4 of the Listing Particulars.

## BASIS OF ACCEPTANCE AND DEALING ARRANGEMENTS

The application lists will open at 10.00 a.m. on 31st October, 1991 and will close as soon thereafter as Fleming may after consultation with the Company and the Selling Shareholder determine. The basis on which applications have been accepted will be announced as soon as possible after the application lists close. It is expected that definitive share certificates will be posted to successful applicants on 6th November, 1991. Dealings in the Shares are expected to commence on 7th November, 1991. Dealings prior to receipt of share certificates will be, at the risk of applicants. A person so dealing must recognise the risk that an application may not have been accepted to the extent anticipated or at all.

## STAMP DUTY AND STAMP DUTY RESERVE TAX

The Selling Shareholder has agreed to pay any stamp duty payable at a rate not exceeding 50p per £100 (or part thereof) of the value of the Shares to purchasers of the Shares under the Offer. However, this will not apply to any charge in stamp duty under Sections 67 or 70 of the Finance Act 1986 (broadly, apply where the applicant is, or is a nominee for, a person whose business is, or includes, the provision of clearance services for the purchase or sale of chargeable securities).

The above statements are intended as a general guide to the current position.

Any person who is in any doubt as to his position should consult an appropriate professional adviser.

## PERSONAL EQUITY PLANS (PEPs)

A PEP enables returns from shares held within such a scheme on behalf of qualifying individuals to be completely free of income and capital gains tax (although any losses resulting from investments within a PEP are not allowable for capital gains tax purposes). All tax credits on dividends from shares in a PEP can be reclaimed and may be reinvested or distributed.

The maximum amount a qualifying individual can invest in a PEP in each tax year is currently £2,000. In the case of a married couple, each spouse is treated separately, so a couple can invest in total a maximum of £2,000 in each tax year. Subject to this limit, a PEP manager may acquire Shares under the Offer for the benefit of an individual and that individual may apply personally to the Offer and if the application is successful transfer those Shares to the PEP manager within 45 days of allocation. To transfer the Shares into a PEP, the Shares must be registered in your own name, not in joint names or the name of a broker, nominee or company.

The information contained in this document on PEPs is based upon the law and practice currently in force and is subject to changes therein.

Any person who is in any doubt as to his position should consult an appropriate professional adviser.







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The successful applicant will:

- be a graduate Chartered Accountant
- have a proven successful track record at senior management level in Commerce/Industry
- be proficient in all aspects of budget control and costing including knowledge and detailed use of computerised systems
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The Chief Executive  
St. Andrew's Hospital  
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Closing date: 7th November, 1991.  
Interview date: 14th November, 1991.

Application form and job description may be obtained from The Personnel Department, University College Hospital, Gower Street, London, WC1E 6AU. Tel: 071-380 9699 (24 hour ansaphone).



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# Plugging in to the power of the sun

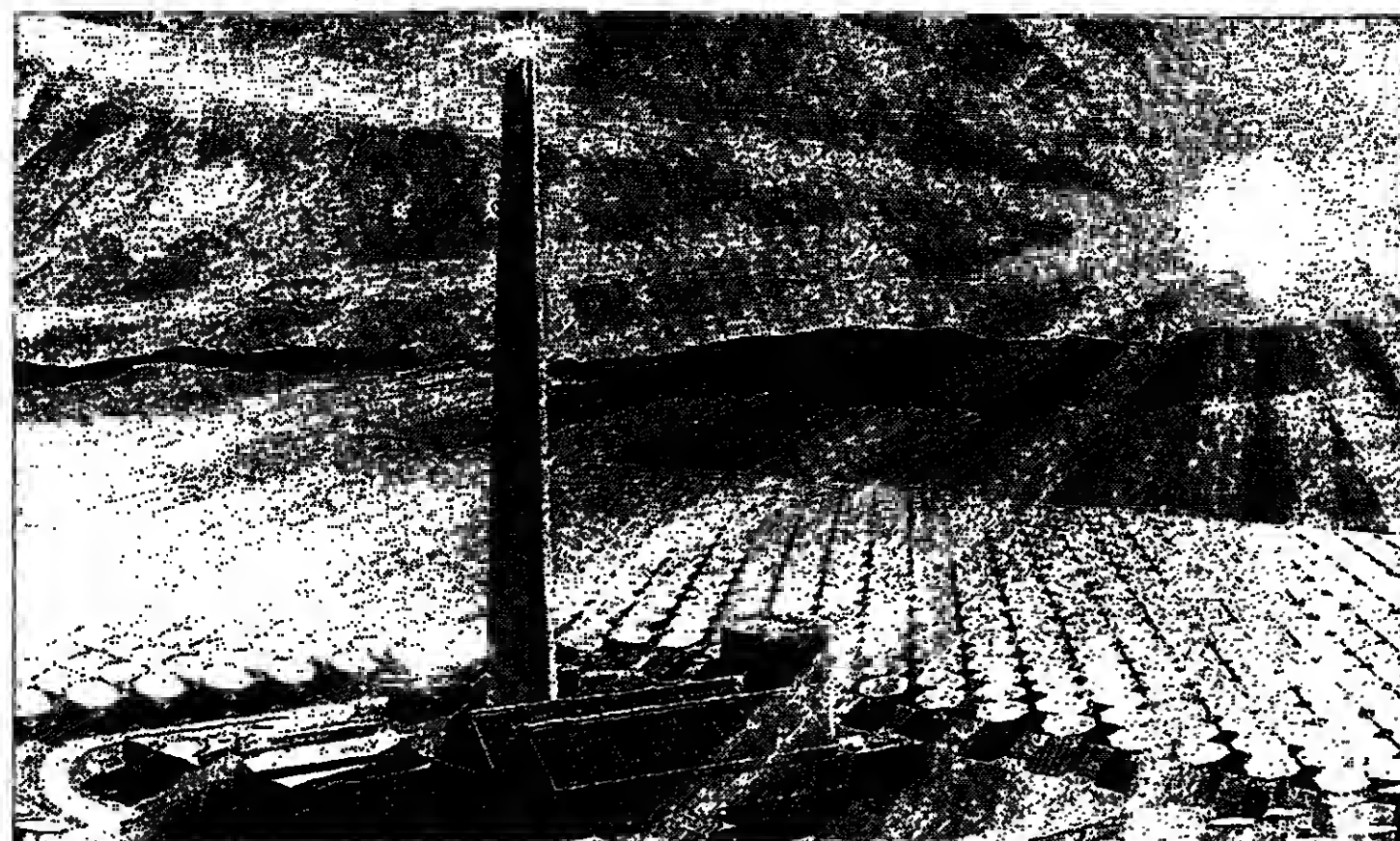
Solar energy could be widely used in the 1990s, thanks to two new achievements, says Nigel Hawkes

Solar cells, once an exotic technology used to provide small amounts of power to space satellites, watches and calculators, look likely to become common sources of electricity within the next decade.

Two recent advances indicate dramatic improvements in efficiency and cost. A recent report by the Energy Technology Support Unit at Harwell, Oxfordshire, although enthusiastic about solar cells, doubted whether they would ever be used to generate large amounts of electricity in Britain, but this week's *Nature* and the current issue of the Science and Engineering Research Council's *SERC Bulletin* may change a few minds.

In *Nature*, two scientists working at the Swiss Federal Institute of Technology in Lausanne report the production of solar cells that outperform nature in the conversion of light.

Dr Brian O'Regan and Dr Michael Graetzel have produced a cell with low-cost materials that converts sunlight extremely efficiently, particularly diffuse daylight on a cloudy day. The cell consists of a rough surface of titanium dioxide, which is a semiconductor coated with a light-absorbing dye. When a photon of light hits the dye it is absorbed, creating a free electron, which migrates into the semiconductor,



Drawing of a solar-powered electricity generating station: experimental schemes like this are operating in the United States and France

setting up a current. The device is efficient because the dye is chosen to absorb the wavelengths of visible light with great efficiency, and the rough surface of the titanium dioxide creates a large area for light collection.

Previous attempts to create solar cells of this sort during the past 20 years have been unsuccessful because perfectly smooth surfaces have been used, and the dye has deteriorated rapidly.

Dr O'Regan and Dr Graetzel believe they have solved both problems, producing cells that convert nearly 8 per cent of light into electricity in full sunlight, and 12 per cent in diffuse daylight.

The device works better on a cloudy day because the frequency distribution of diffuse daylight matches the absorption qualities of the dye better.

Dr Thomas Mallouk, of Texas University, says in the same issue

of *Nature* that the new cells beat nature at its own game. The cell produced at Lausanne, representing 20 years' work, "is better than the product of a billion years of evolution".

Plants may be less efficient but, he admits, they are self-repairing, reproduce themselves and require little in the way of support structures or wiring, so nature still has a few tricks we cannot match.

In *SERC Bulletin*, Dr Keith

Barnham, of the physics department at Imperial College, London, reports on a different approach, but one that is also producing promising results. Dr Barnham and his colleagues have boosted the performance of traditional solar cells by capturing photons over a wider energy range, increasing the current output and hence the power of the cells.

Conventional solar cells convert photons into current only if their

energy is greater than a critical level set by the design of the cell, and known as the band-gap. Cells with a small band-gap capture more photons, and produce greater current, but the process quickly breaks down and much of the absorbed energy is wasted as heat.

Cells with a large band-gap have smaller losses and a greater voltage. Because power output is the product of current and voltage, practical devices are a compromise between the two, and cannot exceed a theoretical conversion efficiency of about 30 per cent.

The Imperial College device works like normal cells above their band-gap. Below the band-gap, however, they trap photons by a different mechanism, using thin layers of semiconducting material only about 50 atoms thick, sandwiched between wider regions of a different semiconductor.

These "quantum wells", as they are called, form additional electron traps, operating in a higher energy range. They can be produced by the methods used to produce conventional cells, so could be added at little extra cost, Dr Barnham says.

The result of adding 30 quantum wells to some test cells more than doubles their output power. A 50-well cell recently made at Philips Research Laboratories at Redhill, Surrey, is twice as efficient as the 30-well cell.

An additional advantage is that a quantum well solar cell could be designed to become more efficient as it gets hot, when the performance of conventional cells falls off. This would be particularly useful in power stations that use mirrors to concentrate sunlight.

## Bug linked to cancer

TWO American studies have established a link between a common bacterium and stomach cancer. Stanford University researchers studied 129,000 patients' blood and found that those infected with the bacterium *Helicobacter pylori* are three times more likely to develop stomach cancer. A second study, in Hawaii, found that 94 per cent of men with stomach cancer had been infected with the bacterium. Researchers point out, however, that the bacterium is not the sole cause. Many people carry it without ill-effects for years, and others have stomach cancer without having the bacterium.

## Prolific potato

AN AUSTRALIAN company claims to have developed a potato that can triple yields. Calgene Pacific, of Melbourne, working with biologists from the Australian National University in Canberra, say the potato, created by genetic engineering, has proved itself in laboratory conditions but as yet to be tested in the field.

## Galloping home

THE Przewalski's horse, the ancestor of the modern horse, is returning to the steppes of Mongolia, 25 years after disappearing from the wild. A new population has been bred by a Dutch group from 20 animals, supported by the World Wildlife Fund for Nature. By agreement with the Mongolian government, 100,000 acres have been set aside for the horses, and the first eight are expected to arrive there in May. The herd will gradually be built up by new groups of two-year-old horses flown out every two years until 2000.

## Little Apples

APPLE Computer has announced its first notebook-sized computer at the Comdex exhibition in Las Vegas. The Macintosh Powerbook range starts at £1,600 and puts Apple into a fast-expanding market. Total sales of notebook computers are expected to grow from less than £1.7 billion to more than £7 billion by 1995.



## Sorry to spoil the show, but mind the reindeer

BY the end of the century people crossing Europe may receive traffic information in their own language via their radio cassette players. European broadcasters are considering ways of developing a service called Radio Data System (RDS) so that the bulletins can be instantly decoded into the listener's language.

An Englishman driving in Paris could have his cassette radio interrupted by travel broadcasts from a French station translated

into English even if a cassette was playing or the set was switched off. Mark Saunders, the BBC's RDS development manager, says broadcasters are now examining common words and phrases that the system would recognise and turn into a chosen language.

"In Sweden they wanted a code for when reindeer are on the road and in Belgium one covering frogs on the road," he explains. Broadcasters have agreed to ditch national nuances in favour of a code

that means simply animals on the road, he says.

RDS has been quietly developed since 1989. A British pilot service has operated in areas served by GLR in London, WM in the Midlands, Radio Kent, Radio Essex and Radio Bedfordshire. Mr Saunders says that by April 1992 nearly 90 per cent of England's population will be covered and services in Scotland, Wales and Northern Ireland will be running.

Car makers, including Ford and Vauxhall, are beginning to offer RDS stereo radio cassette players and manufacturers of the players are increasing the proportion of their range carrying RDS.

One snag with existing RDS services has been that listeners tuned to a national station such as Radio 1 could not have programmes interrupted by local radio bulletins. A BBC system called Enhanced Other Networks is being included by radio cassette makers to overcome this.

Mr Saunders says RDS is being considered as a way of helping in-car navigation systems. At present the service cannot automatically update itself in the event of a traffic jam, road accident or road works. RDS broadcasts could bridge this gap by automatically updating navigation systems with symbols showing a traffic jam or a road blocked while triggering the sets to plot new routes.

NICK NUTTALL

## House of Lords

## Law Report October 24 1991

## House of Lords

### Husband liable for rape of wife

**Regina v R (Rape: Marital Exemption)**  
Before Lord Keith of Kinkaid, Lord Brandon of Oakbrook, Lord Griffiths, Lord Ackner and Lord Lowry  
[Speeches October 23]

A husband could be criminally liable for raping his wife. The House of Lords so held in upholding the dismissal by the Court of Appeal (Lord Lane, Lord Chief Justice, Sir Stephen Brown, President, Lord Justice Watkins, Lord Justice Neill and Lord Justice Russell) (*The Times* March 15) of an appeal by a husband against a ruling by Mr Justice Owen at Leicester Crown Court after which the husband entered a plea of guilty to a charge of attempted rape of his wife.

Section 1 of the Sexual Offences (Amendment) Act 1976 provides: "(1) For the purposes of section 1 of the Sexual Offences Act 1956 (which relates to rape) a man commits rape if— (a) he has unlawful sexual intercourse with a woman when at the time of the intercourse does not consent to it."

Mr Graham Buchanan for the husband; Mr John Milmo, QC and Mr Peter Joyce, QC, for the Crown.

LORD KEITH said that the wife had left the matrimonial home with the son and gone to live with her parents. Both parties had indicated their intention to seek a divorce although no divorce proceedings had been instituted.

A few weeks later the husband forced his way into the house of his wife's parents, who were out at the time, and attempted to

have sexual intercourse with her against her will. In the course of doing so he assaulted her by squeezing her neck with both hands. He had admitted responsibility for what had happened.

Sir Matthew Hale in his *History of the Pleas of the Crown* (vol 1 (1736) chapter 58 p629) wrote: "But the husband cannot be guilty of a rape committed by himself upon his lawful wife, for by their mutual matrimonial consent and contract the wife hath given herself up to this kind unto her husband which she cannot retract."

For over 150 years after the publication of Hale's work there appeared to have been no reported case in which judicial consideration was given in his proposition. It may be taken that the proposition was generally regarded as an accurate statement of the common law of England.

The common law was however capable of evolving in the light of changing social, economic and cultural developments. Hale's proposition reflected the state of affairs in those respects at the time it was pronounced. Since then the status of women and particularly married women had changed out of all recognition.

Apart from property matters and the availability of matrimonial remedies one of the most important changes was that marriage was in modern times regarded as a partnership of equals and no longer one in which the wife was the subservient chattel of the husband.

Hale's proposition involved that by marriage a wife gave her irrevocable consent to sexual intercourse with her husband

under all circumstances and irrespective of the state of her health or how she happened to be feeling at the time. In modern times any reasonable person had to regard that conception as quite unacceptable.

The position was that part of Hale's proposition had been departed from in a series of decided cases. On the ground of principle there was no good reason why the whole proposition of "marital exemption" to rape should not be held inapplicable in modern times.

The only question was whether section 1(1) of the 1976 Act presented any insuperable obstacle to that sensible course. The argument was that "unlawful" in that subsection meant outside the bond of marriage.

That was not the most natural meaning of the word which ordinarily described something which was contrary to some law or enactment or was done without lawful justification or excuse. Certainly in modern times sexual intercourse outside marriage would not ordinarily be described as unlawful.

If the subsection proceeded on the basis that a woman on marriage gave a general consent to sexual intercourse there could be no question of intercourse with her by her husband being without consent. There would thus be no point in enacting that only intercourse without consent outside marriage was to constitute rape.

There was another important context to section 1(1), namely the existence of the exception to the marital exemption established by cases decided before the Act was passed.

Sexual intercourse in any of the cases covered by the excep-

tions still took place within the bond of marriage. So if "unlawful" in the subsection meant "outside the bond of marriage" it followed that sexual intercourse in the cases covered by the exceptions was not covered by the definition of rape notwithstanding that it was not consented to by the wife.

That involved that the exceptions had been the subject of implied repeal. If the intention of Parliament was to abolish the exceptions it would have been expected to do so expressly and it was in fact incoherent that Parliament should have had such an intention.

In order that the exceptions might be preserved it would be necessary to construe "unlawful" so as to give it a meaning unique to that particular subsection and if the mind of the draftsman had been directed to the existence of the exceptions he would surely have dealt with it in a specific fashion.

The fact was it was clearly unlawful to have sexual intercourse with any woman without her consent and that the use of the word "unlawful" in the subsection added nothing. There were no rational grounds for putting the suggested gloss on the word and it should be treated as mere surplusage to be struck out.

Section 1(1) of 1976 Act presented no obstacle to the House declaring that in modern times the supposed marital exemption in rape formed no part of the law of England.

Lord Brandon, Lord Griffiths, Lord Ackner and Lord Lowry agreed.

Solicitors: Kingsford Stacey for Hawley & Rodgers, Leicester; CFS, HQ.

**Scahill and Others v Southern Health and Social Services Board and Another**  
Before Lord Bridge of Harwich, Lord Roskill, Lord Goff of Chieveley, Lord Jauncey of Tullichettle and Lord Lowry  
[Speeches October 23]

Where a contract of employment, negotiated between employers and employees, contained an express term conferring on the employee a valuable right that was contingent upon his taking steps to obtain that right, and which he could not be expected to be aware of unless it was brought to his attention, there was an implied obligation on the employer to take reasonable steps to inform him of the right.

The House of Lords so held in dismissing appeals by two Northern Ireland health boards, the Southern Health and Social Services Board and the Eastern Health and Social Services Board, from the order of the Court of Appeal of Northern Ireland (Lord Justice MacDermott and Lord Justice Murray; Lord Justice Kelly dissented) on December 19, 1990 allowing appeals by the plaintiffs, Dr Gabriel Scally, Mr A. P. Walby, Dr P. J. Wilson and Dr Joseph McGovern, doctors employed by the boards, from the order of Mr Justice Carswell on May 26, 1989.

Mr Justice Carswell had dismissed the plaintiffs' claims for damages against the boards for breach of an implied term of their contracts of employment, breach of a duty of care owed to the plaintiffs and breach of statutory duty, in respect of the boards' failure to notify them of their superannuation scheme, to purchase added years of pension entitlement at favourable rates.

Mr Michael Lavery, QC, and Mr Alva Brangan, both of the Northern Ireland Bar, for the boards; Mr Frederic Reynold, QC, and Mr Donnell Deeny, QC, of the Northern Ireland Bar, for the plaintiffs.

LORD BRIDGE said that under the terms of their contracts, the plaintiffs had been required to make contributions to the statutory superannuation scheme. The principal regulations governing the Health Services (Superannuation) Regulations (Northern Ireland) (SI 1962 No 237).

To qualify for a full pension under the principal regulations as originally enacted it was necessary for an employee to complete 40 years contributory service.

The Health Services (Superannuation) (Amendment) (No 3) Regulations (Northern Ireland) (SI 1974 No 327) gave employees the right to purchase added years of pension entitlement on certain terms to make up the full 40 years of contributions to qualify for maximum pension.

That right, however, was only exercisable within 12 months of the regulations coming into force by persons already employed in the health services and within 12 months from first taking up employment by persons so employed thereafter.

The Department of Health and Social Services had a discretion to extend the 12-month period to the employer to take reasonable steps to bring the existence of the contingent right to the notice of the employee.

It was true that such an implication might have the consequence of sustaining a claim for purely economic loss. But that consideration would not furnish the essential reason for making the implication.

If there was a basis for making the implication, it had to be made in the consideration that the availability of the contingent right was intended by those who drew up the terms of the contract for the benefit of the employee; but if the existence of the contingent right ever came in his attention, he could not profit by it and it might, so far as he was concerned, just as well exist.

The problem was a novel one which could arise in the classic contractual situation in which all the contractual terms having been agreed between the parties, *ex hypothesi*, have been known to both parties.

But in the modern world it was increasingly common for individuals to enter into contracts, particularly contracts of employment, on complex terms which had been settled in the course of negotiations between representative bodies or organisations and many details of which the individual employee could not be expected to know unless they were drawn in his attention.

Would the law then imply a term in the contract of employment imposing an obligation on the boards to notify the plaintiffs of their rights in relation to the purchase of added years?

A clear distinction had been drawn in the speeches of Viscount Simonds in *Lister v Romford Ice and Cold Storage Co Ltd* ([1957] AC 555) and

recognise as sufficient to impose on one person a duty of care to protect another from damage which consisted in purely economic loss.

But if the issue was analysed in contract, the starting point was quite different. Here the express terms of the contract of employment conferred a valuable right on the employee which was, however, contingent upon his taking certain action.

Where that situation was known to the employer but not to the employee, would the law imply a contractual obligation on the employer to take reasonable steps to bring the existence of the contingent right to the notice of the employee?

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## Decision not to decide is award

**Cargill SRL (Milan) v P. Kadineopoulos SA**

An arbitrator's decision, under rule 2.8 of the arbitration rules of the Grain and Feed Trade Association, not to exercise his discretion to determine that the sellers' claim was not to be deemed to have been withdrawn or abandoned by their failure to submit documentary evidence or submissions within the time specified constituted an "arbitration award".

An appeal lay from it to the board of appeal of GAFTA under rule 8.2, the board having power to substitute its own discretion for the arbitrator's.

The House of Lords (Lord Keith of Kinkaid, Lord Roskill, Lord Templeman, Lord Goff of Chieveley and Lord Oliver of Aylmerton) so held on October 23 when dismissing an appeal by the buyers, Cargill SRL (Milan), from the dismissal by the Court of Appeal (Lord Justice Nourse,

Lord Justice Balcombe and Lord Justice Leggatt) (*The Times*, November 23, 1990, [1991] 1 Lloyd's Rep. 64) of their appeal from the dismissal by Mr Justice Evans (1990) 2 Lloyd's Rep. 322 of the appeal from the sole arbitrator's decision not to exercise his discretion to allow their claim for proceeds against Cargill in

## Sons of Systempro.

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## Law Society results

The Law Society final examination results will be published in *The Times* tomorrow.

Copies will be available from 10pm tonight at Victoria, King's Cross and Charing Cross stations, Leicester Square and Marble Arch.

Solicitors: Hobson Audley, Wedlake Selai.

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# Aerospace achievements given their due

In 125 years the society has grown from a few enthusiasts to a diverse, expert group, Harvey Elliott says

**T**he Royal Aeronautical Society, this year celebrating its 125th anniversary, is the largest multi-disciplinary body in Britain. With more than 20,000 members, it is a focus for those professionally involved in aerospace.

The aim since 1866 has been to expand the knowledge of aviation. Originally only those who believed in heavier-than-air flight were involved. Today men and women involved in mechanical and electrical engineering, avionics, systems engineering, materials technology and the technology needed in deepest space are members. Also involved are pilots, aviators, doctors, journalists, lawyers, managers and theoreticians of every aspect of flying.

Ron Kennett, the director of the society, says: "We liaise with a whole spectrum of organisations to maintain awareness of the society's difficulties and accomplishments. Too often we as a nation fail to give adequate recognition to such key issues as the export success of our aircraft, engine and equipment manufacturers."

"We fail to recognise, too, the importance of developments such as the European Fighter Aircraft to a military manufacturing base. The commercial applications of space technologies, sustaining our civil aircraft design and manufacturing involvement in such things as Airbus and regional airlines, are also crucial."

"We must not fail, either, to recognise the importance of government support in negotiating a fairer basis on which our airlines can compete internationally."

Companies such as British

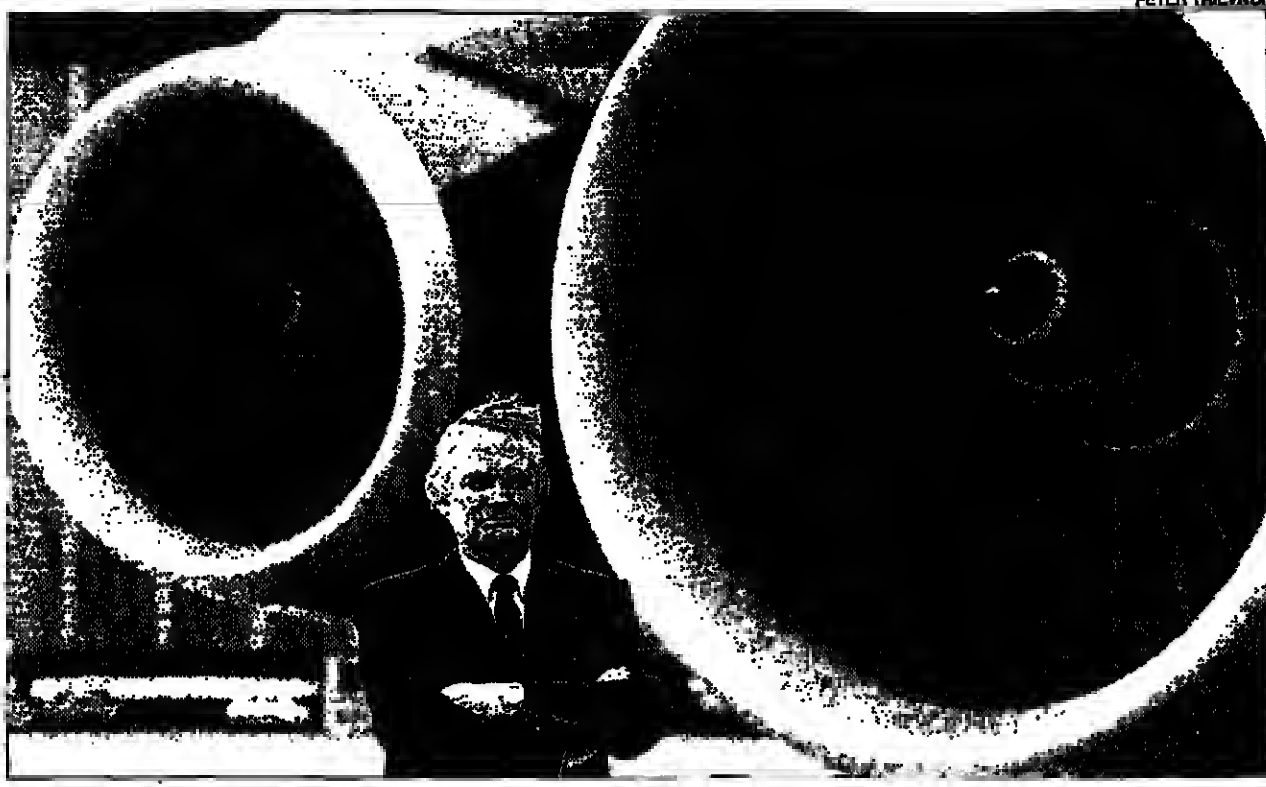
Aerospace, Rolls-Royce and British Airways have undergone significant changes in recent years and face new challenges because of the decline in government business. Mr Kennett says: "It is all too easy for the British public and the government to forget that they still need to be supported and encouraged if they are to build on their successes."

THE SOCIETY sets academic, training and conduct standards for all levels of membership and is able to nominate individuals to the Chartered Engineering Section and to all other stages and sections of the Engineering Council register, making it one of the few chartered institutions who can provide internationally registered qualifications.

In the society's headquarters at Hamilton Place, London, there is the finest collection of books on aviation in the world as well as periodicals, technical reports and specialist photographs and slides.

Lectures regularly take place in the theatre with the latest audio-visual equipment and sophisticated computer data projector, while meetings enable speakers from around the world to stimulate debate and disseminate the latest information on all subjects related to aerospace.

The rooms reflect Britain's aviation history by being named after such former members as Handley Page, De Havilland, Hawker, Brabazon and Sopwith. The society publishes a regular journal of academic papers, minutes of conferences and seminars and a monthly digest of news from the whole industry.



Jet set: Ron Kennett, director of the Royal Aeronautical Society, next to the engines of a 747 400 series at Heathrow

## THOSE WHO CAN JOIN THE SOCIETY

**MEMBERSHIP** of the Royal Aeronautical Society is aimed at anyone involved in or interested in aerospace and is open to engineers and other aerospace professionals. There are six basic grades of membership, which, in order of seniority, are:

- **Fellow:** those who have had long experience of high quality and have achieved a position of high responsibility.
- **Member:** who must be at least 25 years old, with an honours degree and two years in a position of responsibility. Some members may be admitted if they do not have a degree but have at least 15 years' experience in the industry and held a position of responsibility for seven years.
- **Associate member:** Must be at least 23 years old and hold professional qualifications equivalent to BTEC HNC and at least three years experience in the business.
- **Technician:** Lower level of technical qualifications required but must have at least two years' practical training and one year experience.
- **Graduate:** Those with the qualifications but without the experience. Must be employed in the industry and between 21 and 32 years old.
- **Associate:** People not employed in aeronautics or without the relevant qualifications but who want to be involved with the society.
- **Student:** Young people between the ages of 16 and 26 intending joining the profession but as yet unqualified.
- The society awards medals and awards for those making outstanding contributions and, through its education committee, grants and prizes.
- The society has local organisations in Australia, France, New Zealand, Hong Kong, Malaysia, Pakistan, South Africa, Zimbabwe and Cyprus.

## Making the Wright moves into history

The dreams of heavier-than-air flight devotees came true in 1903. Every climb and loop since then has been recorded

**A**erology, the study of the science of the atmosphere, has long since dropped from common usage. But in 1865 it was considered an essential basic tool to learning about the new, and potentially far more exciting, science of aeronautics (Harvey Elliott writes).

Theorists had for years produced drawings of machines capable of floating in the atmosphere and many believed that before long mechanical means could be found of allowing them to ascend and descend at will.

Fred Brearey and James Glaisher, two such devotees of mechanical flight, were so enthused by the idea that after a meeting of the British Association they issued a circular to all members urging that a society be formed "to foster and develop the science of aeronautics". They were not the first to suggest such a gathering. Sir George Cayley had tried since 1815 to interest

anyone who would listen in the setting up of a society to study "aerial navigation".

When Glaisher and Brearey made their move, they found a ready ally in the eighth Duke of Argyll. Six people attended a meeting, held over afternoon tea on Campden Hill, north London, to draw up a statement for the formation of The Aeronautical Society of Great Britain. The first powered, controlled flight — by the Wright brothers — was 37 years away.

From the very beginning the standard of debate and lectures was of a high calibre. The first public meeting in June 1866, for example, revolved around a lecture by F.W. Wenham — "Aerial locomotion and the laws by which heavy bodies are impelled through air and sustained" —

and which is still regarded as the classic description of the theory and practice of mechanical flight.

The society was determined to concentrate on heavier-than-air flight rather than on balloons, kites and birds, and an exhibition was held at Crystal Palace which attracted 77 entries.

The first wind tunnel was described in the annual report of 1870 and in 1886 a Captain Griffiths gave a paper on "Jet propulsion for aeronautical purposes". Members were difficult to find and by 1897 there were only 40, although they included such luminaries as Lord Baden-Powell, Sir Hiram Maxim, Lawrence Hargrave and Graham Bell.

When in 1903 the Wright brothers achieved what had so long been theorised over, they

scot a detailed report to the society's journal. Five years later they were awarded the society's first gold medal. The first world war and the attendant rise in interest in the work of the aeroplane led to a surge in membership and by 1919 it had passed 1,000.

**H**owever, after the war, interest waned and the aeroplane was seen as a potentially dangerous and expensive pastime. The Society, however, pressed on, introducing examinations to produce associates and fellows who could show that they had a real and practical knowledge of aeronautics.

As the second world war loomed the government also realised the society's importance and set up secret meetings at which members of

the RAF and Fleet Air Arm discussed with the aircraft industry and individual engineers their needs and operational experience.

An advisory committee was set up to advise ministers of aircraft production while technical committees studied detailed papers on skin structures and aerodynamics. The Aeronautical Society of Great Britain had been accorded the title "Royal" by HM King George V in June 1918 but it did not receive its full Royal Charter until King George VI granted it in 1949.

After the war the society continued to expand with branches being opened overseas, conferences with the American Institute of the Aeronautical Sciences, and courses on air transport.

Built by Adams in 1805, the headquarters at 4 Hamilton Place, London, has been lived in variously over the years by the Earl of Lucan, the Duke of Wellington and Lord Granville. The lease runs until 2059 during which time the members of the Royal Aeronautical Society will have recorded every climb and loop of developments in the science of aerology.

## RICARDO INTERNATIONAL CONSOLIDATES AEROSPACE BUSINESS

SAC Technology Ltd., Ricardo International plc's aerospace division, will be renamed Ricardo Aerospace from January 1992.

This follows Ricardo's recent acquisition of the gas turbine development company ATD and the consolidation of Ricardo's aircraft business.

Mike Wilson, Ricardo Aerospace Chairman, commented: "The divisional name change enables us to bring together the company's Aircraft and Gas Turbine Divisions. It also reflects more accurately our growing commitment to the worldwide aerospace industry."

Aerospace represents

over 40% of the overall Ricardo International business with 50% of the current activity in the export market.

Among current major design and engineering programmes supported by the company's Aircraft Division are all the Airbus variants, the European Fighter Aircraft, Dornier 328 and the Boeing 767 engine nacelles. The Gas Turbine Division supports a number of engine programmes including the Rolls-Royce Trent, BMW/Rolls-Royce BM700.

Ricardo Aerospace Bristol, UK. Fax 0454 273389

## Launching pad for crucial talks

The society works for the advancement of aerospace in Britain and Europe

**AEROSPACE** is not an industry entered into by accident. The people in it are generally seduced by its glamour and spurred on by a lifelong enthusiasm.

Nevertheless, the task of being a co-ordinating body to

a diversity of industries is not easily achieved. The Royal Aeronautical Society, while seeing the sciences and industries it supports as international and thus needing encouragement in a broad context, is a worker for the advancement of the British aerospace industry and — progressively — the European. The society, for example, talks of the "cruciality" of the launch of the European Fighter Aircraft programme to the British military aircraft manufacturing base.

Investment in space technologies is seen as one area of concern for the British, especially given the part which satellite communications and satellite navigation are going to play in air traffic control systems.

Similarly there is concern about supersonic transport, national research and development policy, as well as the media and telecommunications industry closing their radio frequencies on bands until now reserved for aircraft and to the point where safety is threatened.

Airline safety may statistically be improving, but air travel is expected to double in a decade, so the visible numbers of air accidents will increase unless safety standards improve even faster.

Areas of concern which the society's seminars and workshops have under review are the effect of cockpit computerisation on the pilot and on the reliability of the aircraft systems and systems for holding back the spread of cabin fires to allow for evacuation.

The society encourages work at all levels, from the concentrated academics of the design engineer to the precise aerobatics of the test pilot; from co-ordinating studies for the improvement of anti-terrorist security measures to the encouragement of standardisation in equipment and techniques, as Europe moves towards a co-ordinated air traffic control system.

For all these subjects and countless more, the Royal Aeronautical Society is one of the world's few great aerospace forums.

DAVID LEARMOUNT  
The author is the features editor of Flight International

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